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भारत का राजपत्र

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नई दिल्ली, शनिवार, मई 2, 1998/वैशाख 12, 1920

No. 18] NEW DELHI, SATURDAY, MAY 2, 1998/VAISAKHA 12, 1920

इस भाग में जिस धृष्ट संख्या की जाती है जिससे कि यह ग्राहण संकलन के रूप में
रखा जा सके

Separate Paging is given to this Part in order that it may be filed as a
separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-Section (ii)

भारत सरकार के मंत्रालयों (रक्षा मंत्रालय को छोड़कर) द्वारा जारी किए गए सार्विक अधिसूचनाएँ

Statutory Orders and Notifications Issued by the Ministries of the Government of India
(other than the Ministry of Defence)

कार्मिक, लोक शिक्षायत तथा पेशन मंत्रालय
(कार्मिक और प्रशिक्षण विभाग)

नई दिल्ली, 7 अप्रैल, 1998

का.प्रा. 873.—केन्द्रीय सरकार, दंड प्रक्रिया संहिता, 1973 (1974 का अधिनियम 2) कीधारा 24 की उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए एतद्वारा श्री आर. एम. तिवारी, अधिकारी, अधिकारी दिल्ली को श्रतिरक्षक जिला एवं सब न्यायाधीश, पटियाला हाउस नई दिल्ली की अदालत में मामला संख्या आर.सी. 1(एस)/90-एस.आई.मू.-2/एस.आई.सी.-1 सी.बी.आई. नई दिल्ली और किसी अन्य न्यायालय में उससे जुड़े अधियाय उसके साथ घटित किसी अन्य मामले में संचालन हेतु विशेष लोक अभिभायोजक नियुक्त करती है।

MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES
AND PENSION

(Department of Personnel and Training)

New Delhi the 7th April, 1998

S.O. 873.—In exercise of the powers conferred by sub-section (8) of Section 24 of the Code of Criminal Procedure, 1973 (Act No. 2 of 1974), the Central Government hereby appoints Shri R. M. Tewari, Advocate, Delhi as Special Public Prosecutor for conducting case No. RC-1(S)/90-SIU-I/SIC-I, CEI, New Delhi, in the Court of the Additional Sessions Judge, New Delhi at Patiala House, New Delhi, and any other matter connected therewith or incidental thereto in any other Court.

[संख्या 225/56/96-ए.वी.डी.-II]

हरि सिंह, अवर सचिव

[No. 225/56/96-AVD.II]

HARI SINGH, Under Secy.

वित्त मंत्रालय
(राजस्व विभाग)

आदेश

नई दिल्ली, 1 अप्रैल, 1998

स्टाम्प

का. प्रा. 874.—भारतीय स्टाम्प अधिनियम, 1899 (1899 का 2) की धारा 9 की उपधारा (1) के अंडे (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा हिन्दुस्तान कॉर्पर लिमिटेड, कलकत्ता को मात्र पन्द्रह लाख इकायानवे हजार रु. का संपेक्षित स्टाम्प-शुल्क आदा करने की अनुमति देती है, जो कि हिन्दुस्तान कॉर्पर लिमिटेड, कलकत्ता द्वारा 31-1-1998 को आवंटित किए गए मात्र पन्द्रह करोड़ इकायानवे लाख रु. के कुल मूल्य के 004743 से 006333 तक की विशिष्ट संख्या वाले प्रत्येक एक-एक लाख रु. के प्रोशिसरी नोटों के स्वरूप वाले निजी तौर पर रखे गए असुरक्षित बंधपत्रों (अंड्हला-II) पर स्टाम्प शुल्क के कारण प्रभार्य है।

[सं. 10/98-स्टाम्प फा. सं. 15/6/98-वि. क.]

एस. कुमार, अवर सचिव

MINISTRY OF FINANCE

(Department of Revenue)

ORDER

New Delhi, the 1st April, 1998

STAMPS

S.O. 874.—In exercise of the powers conferred by clause (b) of sub-section (1) of section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby permits Hindustan Copper Limited, Calcutta to pay consolidated stamp duty of rupees fifteen lakhs ninety one thousand only chargeable on account of the stamp duty on Privately Placed Unsecured Bonds (Series-II) in the form of promissory notes of rupees one lakh each bearing distinctive numbers from 004743 to 006333 aggregating to rupees fifteen crores ninety one lakhs only allotted on 31-1-1998 by Hindustan Copper Limited, Calcutta.

[No. 10/98-STAMPS/F. No. 15/6/98 ST]
S. KUMAR, Under Secy.

आदेश

नई दिल्ली, 21 अप्रैल, 1998

का. प्रा. 875.—भारत सरकार के संयुक्त सचिव ने जिसे विदेशी मद्रा भंरक्षण और तस्करी निवारण अधिनियम, 1974 (1974 का 52) की धारा 3 की उपधारा के अधीन आदेश फा. सं. 673/89/96 सी. श. ० ९ दिनांक 4-1-96 को यह निदेश जारी किया था कि श्री सुशाल कुमार वर्मा, सूपुत्र श्री शिव नाथ वर्मा, आर/ओ ए.-125 प्रथम तल विवेक विहार, नई दिल्ली, को निलूप्त कर लिया जाए और केन्द्रीय कारागार तिहाड़ जेल, नई दिल्ली में अभिरक्षा में रखा जाए ताकि उसे भविष्य में तस्तकरित माल को छिपाने के प्रतिकूल कार्य करने से रोका जा सके।

2. केन्द्रीय सरकार के पास यह विश्वास करने का कारण है कि पूर्वीकृत व्यक्ति फरार हो गया है या अपने को छिपा रहा है जिससे उक्त आदेश का निष्पावन नहीं हो सके;

3. अतः मग्न केन्द्रीय सरकार, उक्त अधिनियम की धारा 7 की उपधारा (1) के अंडे (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निर्देश देती है कि पूर्वीकृत व्यक्ति इस प्राविष्ट के शासकीय राजपत्र में प्रकाशन के 7 दिन के भीतर पुलिस आयुक्त दिल्ली के समक्ष हाजिर हों।

[फा. सं. 673/89/96-सी. श. -VIII]

एस. एन. नेगी, अवर सचिव

ORDER

New Delhi, the 21st April, 1998

S.O. 875.—Whereas the Joint Secretary to the Government of India, specially empowered under sub-section (1) of section 3 of the Conservation of Foreign Exchange & Prevention of Smuggling Activities Act, 1974 (52 of 1974) issued order No. 673/90/96-Cus. VIII dated 4-11-96 under the said sub-section directing that Shri Sushil Kumar Verma S/o Sh. Shivnath Verma, R. A-125, Ground Floor, Vivek Vihar, New Delhi, be detained and kept in custody in the Central Jail, Tihar, New Delhi, with a view to preventing him from smuggling goods in future.

2. And whereas the Central Government has reasons to believe that the aforesaid person has absconded or has been concealing himself so that the order cannot be executed.

3. Now, therefore, in exercise of the powers conferred by clause (b) of sub-section (1) of Section 7 of the said Act, the Central Government hereby directs the aforesaid person to appear before the Commissioner of Police, Delhi, within 7 days of the publication of this order in the official Gazette.

[F. No. 673/89/96-Cus. VIII]

M. S. NEGI, Under Secy.

आदेश

नई दिल्ली, 21 अप्रैल, 1998

का. प्रा. 876.—भारत सरकार के संयुक्त सचिव ने जिसे विदेशी मद्रा संरक्षण और तस्करी निवारण अधिनियम, 1974 (1974 का 52) की धारा 3 की उपधारा के अधीन आदेश फा. सं. 673/90/96-सी. श. -8 दिनांक 4-11-96 को यह निदेश जारी किया था कि श्री सुशील गुप्ता सुपुत्र श्री नरारी लाल गुप्ता निवासी जो. डी. 45, पीतम् पुरा, नई दिल्ली, को निलूप्त कर लिया जाए और केन्द्रीय कारागार तिहाड़ जेल नई दिल्ली में अभिरक्षा में रखा जाए ताकि उसे भविष्य में माल की तस्करी के प्रतिकूल कार्य करने से रोका जा सके।

2. केन्द्रीय सरकार के पास यह विष्वास करने का कारण है कि पूर्वोक्त व्यक्ति फरार हो गया है या अपने को छिपा रहा है जिससे उक्त आदेश का भिष्पाक्षण नहीं हो सके।

3. अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 7 की उपधारा (1) के खंड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह निर्देश देता है कि पूर्वोक्त व्यक्ति इस आदेश के शासकीय राजपत्र में प्रकाशन के 7 दिन के भीतर पुलिस आयुक्त, दिल्ली के समक्ष हाजिर हो।

[फा. सं. 673/90/96-सी.गु.-VIII]

एस.एस. नेगी, अवर सचिव

ORDER

New Delhi, the 21st April, 1998

S.O. 876.—Whereas the Joint Secretary to the Government of India, specially empowered under sub-section (1) of section 3 of the Conservation of Foreign Exchange & Prevention of Smuggling Activities Act, 1974 (52 of 1974) issued order No. 673/90/96-Cus. VIII dated 4-11-96 under the said sub-section directing that Shri Sushil Gupta S/o Shri Murarilal Gupta, R/O GD 45, Pitam Pura, New Delhi, be detained and kept in custody in the Central Jail, Tihar, New Delhi, with a view to preventing him from smuggling goods in future.

2. And whereas the Central Government has reasons to believe that the aforesaid person has absconded or has been concealing himself so that the order cannot be executed.

3. Now, therefore, in exercise of the powers conferred by clause (b) of sub-section (1) of Section 7 of the said Act, the Central Government hereby directs the aforesaid person to appear before the Commissioner of Police, Delhi, within 7 days of the publication of this order in the Official Gazette.

[F. No. 673/90/96-Cus. VIII]

M. S. NEGI, Under Secy.

केन्द्रीय प्रत्यक्ष कर बोर्ड

नई दिल्ली, 22 अप्रैल, 1998

का.आ. 877.—सर्वसाधारण को सूचना के लिए यह अधिसूचित किया जाता है कि आयकर नियमावली, 1962 के नियम 6क का ग के अन्तर्गत जनिक, पर्यावरण एवं वन मंत्रालय भारत सरकार, नई दिल्ली निर्धारित प्राक्षिकारी होने के नामे निम्नविखित संस्था/संघ और नीचे दिए गए इसके कार्यक्रमों को, आयकर अधिनियम, 1961 की धारा 35ग ग ख के प्रयोजनार्थ अनुमोदित किया है।

संस्था/संघ का नाम

तिरुमाला तिरुपति देवस्थानम्, तिरुपति ।

कार्यक्रम

- (i) वंजर पहाड़ी बनरोपण
- (ii) संस्थागत पौधरोपण
- (iii) सड़क के किनारे के त्वान का पौधरोपण
- (iv) बनों की आग से सुरक्षा
- (v) स्मारक पौध-रोपण

निर्धारित प्राधिकारी द्वारा नामः (1) धारा 35ग ग ख की उपधारा (2) के अन्तर्गत संस्था/संघ (ii) धारा 35गग्ख की उपधारा (1) के अन्तर्गत कार्यक्रम को दिए गए दोनों अनुमोदन निम्नविखित शर्तों पर 1-4-98 से 31-3-2001 तक की अवधि के लिए बंध हैः—

- (i) तिरुमाला तिरुपति देवस्थानम्, तिरुपति द्वारा बन के संरक्षण और विकास तथा ऊपर पैरा (i) में यथा उल्लिखित क्षेत्र में पारिस्थितिक संतुलन बनाये रखने के लिए दाम राजस्व का ग्रलग से लेखा रखा जायेगा।
- (ii) तिरुमाला तिरुपति देवस्थानम् प्रत्येक वित्तीय वर्ष के लिए ऊपर पैरा (1) में यथा उल्लिखित कार्यक्रमों की एक रिपोर्ट को प्रत्येक वर्ष 30 जून तक निर्धारित प्राधिकारी को प्रस्तुत करेगा।
- (iii) तिरुमाला तिरुपति देवस्थानम् प्रत्येक कार्यक्रम की आग-प्रलग स्थिति को दर्शाते हुए कुल आय और व्यय तथा बैलेस शीट को दर्शाने वाली बंकेस्ति वापिक लेखा की एक प्रति प्रत्येक वर्ष की 30 जून तक निर्धारित प्राधिकारी को प्रस्तुत करेगा।

[प्रभिशूक्ता म 10581 /फा. सं. 203/7/98-आयकर नि. II]
आलतों आर. श्रीधरन, अवर सचिव (आयकर निधारिण II)

CENTRAL BOARD OF DIRECT TAXES

New Delhi, the 22nd April, 1998

S.O. 877.—It is notified for general information that the institution/Association mentioned below and its programme given hereunder have been approved by the Secretary, Ministry of Environment and Forests, Government of India, New Delhi, being the prescribed authority under Rule 6 AAC of the Income Tax Rules, 1962, for the purposes of section 35 CCB of Income Tax Act, 1961.

- Name of the Institution/Association
Tirumala Tirupati Devasthanam, Tirupati.
Programme.
1. Barron Hill Afforestation.
 2. Institutional Plantation
 3. Road Side avenue plantation.

4. Fire protection of Forests.

5 Memorial plantation.

Both the approvals accorded by the Prescribed Authority namely (i) to the Institution/Association under sub-section (2) of Section 35CCB and (ii) to the programmes under sub-section (I) of Section 35CCB are valid for the period from 1-4-98 to 31-3-2001 subject to the following conditions :—

(i) Tirumala Tirupati Devasthanam, Tirupati shall maintain a separate account of the donation revenue by it for conservation and development of forest and maintenance of ecological balance in the area as mentioned in Para (I) above.

(ii) Tirumala Tirupati Devasthanam shall furnish a report of the programmes as mentioned in para (I) above to the prescribed authority for every financial year by the 30th June each year.

(iii) The Tirumala Tirupati Devasthanam shall submit to the prescribed authority, by the 30th June every year, a copy of the audited annual accounts showing the total income and expenditure and balance sheet showing the position of each of its programmes separately.

[Notification No. 10581/F. No. 203/7/98-ITA-II]

MALATHI R. SRIDHARAN, Under Secy. (ITA-II)

नई दिल्ली, 22 अप्रैल, 1998

का.आ. 878.—सर्वेसधारण की मूचना के लिए यह अधिसूचित किया जाता है कि प्रायकर अधिनियम, 1961 की धारा 36(1)(viii) के प्रयोजनार्थ केन्द्रीय सरकार ने मैसर्स लाइब्रेरी होम फाइनेंस लि., 94-एस.डी. रोड, सिकन्दराबाद को एक हाउसिंग फाइनेंस कंपनी के रूप में कर निर्धारित वर्ष 1998-99 से 1999-2000 तक के लिए अनुमोदित किया है। यह अनुमोदित इस मर्ते पर किया गया है कि कृष्णनी आयकर अधिनियम, 1961 की धारा 36(1)(vii) के उपबंध के मतुरूप होगी और उत्का अनुपालन करेगी।

[अधिसूचना मं. 10580/फा.नं. 204/13/97-भायकर-नि. II]
मालथी शार. श्रीधरन. छवर सचिव.

New Delhi, the 22nd April, 1998

S.O. 878.—It is notified for general information that M/s. Livewell Home Finance Ltd., 94-S.D. Road, Secunder-

bad has been approved by the Central Government as a Housing Finance Company for the purposes of Section 36(1) (viii) of the Income Tax Act, 1961, for the financial years 1998-99 to 1999-2000.

The approval is subject to the condition that the company will conform to and comply with the provisions of Section 36(1) (viii) of the Income-tax Act, 1961.

[Notification No. 10580/P. No. 204/13/97-ITA-III]

MALATHI R. SRIDHARAN, Under Secy.

श्रादेश

नई दिल्ली, 22 अप्रैल, 1998

का.आ. 879.—भारत सरकार के मंयुक्त सचिव ने जिसे विदेशी मुद्रा संरक्षण और तस्करी निवारण अधिनियम, 1974 (1974 का 52) की धारा 3 की उपधारा के अधीन श्रादेश फा.सं. 673/56/96-सी.श. दिनांक 26-7-96 को यह निवेश जारी किया था कि श्री परनीत सिंह बोपाण्य पुत्र श्री सत्यंत सिंह निवासी 163, गोलडन एवेन्यू, अमृतसर (पंजाब) को निश्चित कर लिया जाए और केन्द्रीय कारागार अमृतसर, पंजाब में अभिरक्षा में रखा जाए ताकि उसे भविष्य में माल के तस्करी करने से रोका जा सके।

2. केन्द्रीय सरकार के पास यह विष्वास करने का कारण है कि पूर्वोक्त व्यक्ति फरार हो गया है या प्रपत्ति हो चिना रहा है जिसने उक्त श्रादेश का निष्पादन नहीं हो सके;

3. अतः श्रव केन्द्रीय सरकार, उक्त अधिनियम की धारा 7 की उपधारा (1) के खण्ड (ब) द्वारा प्रदत्त शर्तियों का प्रयोग करते हुए, यह निर्देश देती है कि पूर्वोक्त व्यक्ति इस श्रादेश के शासकीय राजपत्र में प्रकाशन के 7 दिन के भीतर पुलिस आयुक्त, अमृतसर, पंजाब के समक्ष हाजिर हो।

[फा.सं. 673/56/96-सी.श.-VIII]

एम.एस. नेमो, अवर सचिव

ORDER

New Delhi, the 22nd April, 1998

S.O. 879.—Whereas the Joint Secretary to the Government of India, specially empowered under sub-section (1) of Section 3 of the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 (52 of 1974) issued Order F. No. 673/56/96-Cus. VIII dated 25-7-96

under the said sub-section directing that Shri Parneet Singh Boparai S/o Shri Satwant Singh R/o 163, Golden Avenue, Amritsar, be detained and kept in custody in the Central Jail, Tihar, New Delhi, with a view to preventing him from smuggling goods in future.

2. And whereas the Central Government has reasons to believe that the aforesaid person has absconded or has been concealing himself so that the order cannot be executed.

3. Now, therefore, in exercise of the powers conferred by clause (b) of sub-section (1) of Section 7 of the said Act, the Central Government hereby directs the aforesaid person to appear before the Commissioner of Police, Amritsar, Punjab, within 7 days of the publication of this order in the Official Gazette.

[F. No. 673/56/96-Cus. VIII]

M. S. NEGI, Under Secy.

(ग्राहित कार्य विभाग)

(बैंकिंग प्रभाग)

नई दिल्ली, 16 अप्रैल, 1998

का.आ. 880.—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 56 के साथ पठित धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक की संस्तुति पर एतद्वारा, घोषणा करती है कि बैंककारी विनियमन (सहकारी समितियाँ) नियम, 1966 के नियम 10 के साथ पठित उक्त अधिनियम की धारा 31 के उपबंध रिकिरण शहरी सहकारी बैंक लि., मुम्बई पर उस सीमा तक लागू नहीं होंगे, जहाँ तक उनका संबंध वर्ष 1996-97 के उनके तुलन पत्र, लाभ-हानि लेखे एवं लेखा परीक्षक की रिपोर्ट समाचार पत्र में प्रकाशित करने गे हैं।

[फा.सं. 1(2)/98-एसी]

एस.के. ठाकुर, अवर सचिव

(Department of Economic Affairs)

(Banking Division)

New Delhi, the 16th April, 1998

S.O. 880.—In exercise of the powers conferred by Section 53 read with Section 56 of the Banking Regulation Act, 1949 (10 of 1949), the Central Government on the recommendation of Reserve Bank of India hereby declares that the provisions of Section 31 of the said Act read with Rule 10 of the Banking Regulation (Cooperative Societies) Rules, 1966 shall not apply to the Ravikiran Urban Co-operative Bank Ltd., Mumbai in so far as they relate to the publication of their balance sheet and profit and loss account for the year 1996-97 with the auditor's report in the newspaper.

[F. No. 1(2)/98-AC]
S. K. THAKUR, Under Secy.

नई दिल्ली, 16 अप्रैल, 1998

का.आ. 881.—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 56 के साथ पठित धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक की संस्तुति पर एतद्वारा, घोषणा करती है कि बैंककारी विनियमन (सहकारी समितियाँ) नियम, 1966 के नियम 10 के साथ पठित उक्त अधिनियम को धारा 31 के उपबंध दि. रामचन्द्रपुरम सहकारी बैंक लि. (आन्ध्र प्रदेश) पर उस सीमा तक लागू नहीं होंगे, जहाँ तक उनका संबंध वर्ष 1996-97 के उनके तुलन पत्र लाभ-हानि लेखे एवं लेखा परीक्षक की रिपोर्ट समाचार पत्र में प्रकाशित करने गे हैं।

[फा.सं. 1(4)/98-एसी]
एस.के. ठाकुर, अवर सचिव

New Delhi, the 16th April, 1998

S.O. 881.—In exercise of the powers conferred by Section 53 read with Section 56 of the Banking Regulation Act, 1949 (10 of 1949), the Central Government on the recommendation of Reserve Bank of India hereby declares that the provisions of Section 31 of the said Act read with Rule 10 of the Banking Regulation (Cooperative Societies) Rules, 1966 shall not apply to the Ramachandrapuram Co-operative Bank Ltd., (Andhra Pradesh) in so far as they relate to the publication of their balance sheet and profit and loss account for the year 1996-97 with the auditor's report in the Newspaper.

[F. No. 1(4)/98-AC]
S. K. THAKUR, Under Secy.

नई दिल्ली, 16 अप्रैल, 1998

का.आ. 882.—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 56 के साथ पठित धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक की संस्तुति पर एतद्वारा, घोषणा करती है कि बैंककारी विनियमन (सहकारी समितियाँ) नियम, 1966 के नियम 10 के साथ पठित उक्त अधिनियम की धारा 31 के उपबंध दि. सहकारी बैंक लि., बोदावरम, जिला विशाखापट्टनम पर उस सीमा तक लागू नहीं होंगे, जहाँ तक उनका संबंध 31 मार्च, 1997 को समाप्त वर्ष के लिए उनके तुलन पत्र, लाभ-हानि लेखे एवं लेखा परीक्षक की रिपोर्ट समाचार पत्र में प्रकाशित करने गे हैं।

[फा.सं. 1(5)/98-एसी]
एस.के. ठाकुर, अवर सचिव

New Delhi, the 16th April, 1998

S.O. 882.—In exercise of the powers conferred by Section 53 read with Section 56 of the Banking Regulation Act, 1949 (10 of 1949), the Central Government on the recommendation of Reserve Bank of India hereby declares that the provisions of Section 31 of the said Act read with Rule 10 of the Banking Regulation (Cooperative Societies) Rules, 1966 shall not apply to the Co-operative Bank Ltd., Chodavaram, Visakhapatnam Dist. in so far as they relate to the publication of their balance sheet and profit and loss account for the year ended 31-3-1997 with the Auditor's report in the newspaper.

[F. No. 1(5)/98-AC]

S. K. THAKUR, Under Secy.

नई दिल्ली, 16 अप्रैल, 1998

का.आ. 883.—भारतीय रिजर्व बैंक की संस्तुति पर बैंककारी विभिन्नमन अधिनियम, 1949 (1949 का 10) की धारा 56 के साथ पठित धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केंद्र सरकार, घोषणा करती है कि दि रायचुर जिला सहकारी केन्द्रीय बैंक नि., रायचुर (कर्नाटक) पर, उस अधिनियम की धारा 11 की उपधारा 1 के उपर्युक्त इस अधिसूचना के सरकारी राजपत्र में प्रकाशन की तारीख ने 31 मार्च, 2000 तक लाग् नहीं होंगे।

[फा.स. 1(6)/98-ए.सी.]

एस. के. थाकुर, अवर सचिव

New Delhi, the 16th April, 1998

S.O. 883.—In exercise of the powers conferred by Section 53 read with Section 56 of the Banking Regulation Act., 1949 (10 of 1949), the Central Government on the recommendation of the Reserve Bank of India declares that the provisions of sub-section 1 of section 11 of the said Act, shall not apply to The Raichur District Co-operative Central Bank Ltd., Raichur (Karnataka) from the date of publication of this notification in the official Gazette to 31 March, 2000.

[F. No. 1(6)/98-AC]

S. K. THAKUR, Under Secy.

विदेश मंत्रालय

(कौसलर अनुभाग)

नई दिल्ली, 23 अप्रैल, 1998

का.आ. 884.—राजनयिक कौसली अधिकारी (शपथ एवं शुल्क) अधिनियम 1948 (1948 का 41वाँ) की धारा 2 के अंक (क) के अनुसरण में केन्द्रीय सरकार एतद्वारा भारत का द्रुतावास मेडरीड में सहायक श्री आर. एस. सब्बरवाल को 9-9-94 से सहायक कौसलर अधिकारी का कार्य करने के लिये प्राधिकृत करती है।

[सं. टी-4330/1/98]

एन.यू. अविराचन, अवर सचिव (पीवीएस)

MINISTRY OF EXTERNAL AFFAIRS

(Consular Section)

New Delhi, the 23rd April, 1998

S.O. 884.—In pursuance of the Clause (a) of Section 2 of the Diplomatic and Consular Officer (Oaths and Fees) Act, 1948 (41 of 1948), the Central Government hereby authorises Shri R. S. Sabharwal, Assistant in the Embassy of India, Madrid to perform the duties of Assistant Consular Officer with effect from 9-9-94.

[No. T-4330/1/98]

N. U. AVIRACHEN, Under Secy. (Cons.)

नई दिल्ली, 23 अप्रैल, 1998

का.आ. 885.—राजनयिक कौसली अधिकारी (शपथ एवं शुल्क) अधिनियम 1948 (1948 का 41वाँ) की धारा 2 के अंक (क) के अनुसरण में केन्द्रीय सरकार एतद्वारा भारत का द्रुतावास बगदाद में सहायक श्री जमन महतो व विजय सिंह को 22-4-98 से सहायक कौसली अधिकारी का कार्य करने के लिये प्राधिकृत करता है।

[सं. टी-4330/1/98]

एन.यू. अविराचन, अवर सचिव (पीवीएस)

New Delhi, the 23rd April, 1998

S.O. 885.—In pursuance of the Clause (a) of Section 2 of the Diplomatic and Consular Officer (Oaths and Fees) Act, 1948 (41 of 1948), the Central Government hereby authorises S/Shri Jhaman Mahto and Vijay Singh, Assts. in the Embassy of India, Baghdad to perform the duties of Assistant Consular Officer with effect from 22-4-98.

[No. T-4330/1/98]

N. U. AVIRACHEN, Under Secy. (Cons.)

खाद्य और उपभोक्ता मामले मंत्रालय

(उपभोक्ता मामले विभाग)

नई दिल्ली 17 अप्रैल, 1998

का. आ. 886.—केन्द्रीय सरकार का विहित प्राधिकारी द्वारा उसे प्रस्तुत कि गई रिपोर्ट (नीचे आकृति देखिए) पर विचार करने के पश्चात् समाधान हो गया है कि उक्त रिपोर्ट में वर्णित माडल बाट और माप मानक अधिनियम 1976 (1976 का 60) और बाट और माप मानक (माडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि अविरत उपयोग की अवधि में यथार्थता बनाए रखेगा और परिवर्तित दशाओं में उपयुक्त सेवा देता रहेगा ;

अतः अब केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, आगर फिलर और पैकिंग मशीन सहित स्वचालित आटोरेप के माडल का जिसका बांड नाम आगर फिलर सहित आटो रैप बी ३१/१६/३२ श्रृंखला है। (जिसे इसमें इसके पश्चात माडल कहा गया है) जिसका विनिर्माण मैसर्स टैटरा पैक नाइक्रोम (इन्डिया) सि. 46, अम्बेडकर मार्ग, संगम पुल के निकट, पुणे — 411001 महाराष्ट्र राज्य द्वारा किया गया है और जिसे अनुमोदन विहन आई. एन. डी. /०९/९७/५७ समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है।



यह माडल (आकृति देखिए) स्वचालित आटोरेप आगर फिलर और पैकिंग मशीन है। यह अर्धाधिर पेचवाहक के सिद्धान्त पर कार्य करता है और पेचवाहक सिद्धान्त पर प्रधानित होता है। मशीन का तकनीकी व्यौरा निम्नलिखित है :—

नाम	:	आगर फिलर और पैकिंग मशीन सहित आटो रैप स्वचालित
टाइप	:	बी ३१/१६/३२ श्रृंखला
अधिकतम क्षमता	:	500 ग्राम
न्यूनतम क्षमता	:	50 ग्राम
अधिकतम अनुज्ञय त्रुटि	:	0.5%
मशीन निवेश	:	40-60 पाउच प्रति मिनट
संप्रदर्शन	:	स्फटिक
भरे जाने वाले पदार्थ	:	गैर-मुक्त प्रवाही पदार्थ जैसे दुग्ध-चूर्ण आदि
विद्युत प्रदाय	:	400-440 वोल्ट 50 हर्टज 3 फेस प्रत्यावर्ती धारा
ताप की रेज	:	+10 डिग्री से से 45 डिग्री से

इसके अतिरिक्त केन्द्रीय सरकार, उक्त धारा की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, घोषित करती है कि उक्त माडल के अनुमोदन प्रमाणपत्र के अन्तर्गत इसी विर्निमाता द्वारा उसी सिद्धान्त, डिजाइन और सामग्री जिससे अनुमोदित माडल का विर्निमाण किया गया है, के अनुसार विनिर्मित बी ३१/१६/३२ और ८/२० श्रृंखला के समरूप मेक, शुद्धता और निष्पादन वाले 10 सी सी से 10000 सी सी या 2 ग्राम से 5 कि. ग्रा. अधिकतम क्षमता वाले तुलन यंत्र भी है।

[फा. सं. छब्ल्यू. एम. 21 (78)/95]

राजीव श्रीवास्तव, अपर सचिव

MINISTRY OF FOOD AND CONSUMER AFFAIRS

(Department of Consumer Affairs)

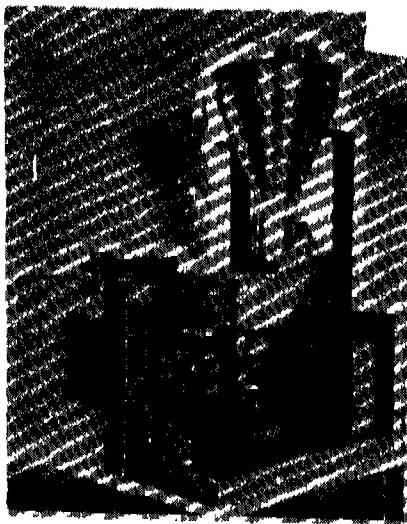
New Delhi, the 17th April, 1998

S.O. 886.—Whereas, the Central Government after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-section (7) of section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the Model of the automatic Autowrap with Auger filler and packing machine and with brand name "Autowrap BD/16/32 with Auger filler" series, (hereinafter referred to as the Model) manufactured by M/s Tetra Pak Nichrome (India) Limited, 46, Dr. Ambedkar Road, Near Sangam Bridge, Pune-411001, Maharashtra State, and which is assigned the approval mark IND/09/97/57:

The Model (see figure) is an automatic Autowrap Auger filling and packing machine. It works on the principle of vertical screw conveyor and operates on screw conveyor principles. The technical details of the machine are as follows :

Name	: Automatic Autowrap with Auger filler and packing machine
Type :-	BD 16/32 series
Maximum Capacity	: 500g
Minimum Capacity	: 50g
Maximum permissible error	: 0.5%
Machine output	: 40-60 pouches per minute.
Display	: LED
Products filled	: Non-free flowing products like Milk powder etc.
Power Supply	: 400-440v, 50 Hertz 3 phase a.c.
Temperature range	: +10°C to 45°C



(figure)

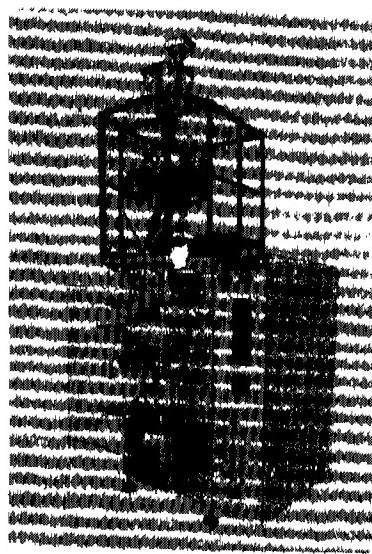
Further, in exercise of the powers conferred by sub-section (12) of the said section, the Central Government hereby declares that this certificate of approval of the Model shall also cover the weighing instrument of similar make, accuracy and performance of BD 16/32 and 8/20 series with maximum capacity of 10cc to 10000cc or 2g to 5kg, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the approved Model has been manufactured.

[File No. WM 21(78)/95]
RAJIV SRIVASTAVA, Addl. Secy.

नई दिल्ली, 17 अप्रैल, 1998

का.आ. 887.— केन्द्रीय सरकार का विहित प्राधिकारी द्वारा उसे प्रस्तुत कि गई रिपोर्ट (नीचे आकृति देखिए) पर विचार करने के पश्चात् समाधान हो गया है कि उक्त रिपोर्ट में वर्णित माडल बाट और माप मानक अधिनियम 1976 (1976 का 60) और बाट और माप मानक (माडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि अधिरत उपयोग की अवधि में यथार्थता बनाए रखेगा और परिवर्तित दशाओं में उपयुक्त सेवा देता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, कप फिलर और पैकिंग मशीन सहित स्वचालित आटोरैप के माडल का जिसका आंड़ा नाम "कप फिलर सहित आटोरैप बी डी/16/32 श्रृंखला" है। (जिसे इसमें इसके पश्चात माडल कहा गया है) जिसका विनिर्माण मैसर्स टैटरा पैक नाइक्रोम (इन्डिया) लि., 46, अम्बेडकर मार्ग, संगम पुल के निकट, पुणे-411001 महाराष्ट्र राज्य द्वारा किया गया है और जिसे अनुमोदन विहन आई.एन.डी./09/97/58 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है।



(आकृति)

यह माडल (आकृति देखिए) स्वचालित आटोरैप कप फिलिंग और पैकिंग मशीन है। कप फिलर में दो गोल प्लेटों के बीच छह कप लगाए जाते हैं, जिनका प्रत्येक कप के तले में पल्सों की छ्यवस्था होगी, जो दूरदर्शी प्रकृति के होंगे। फिलिंग कन कर आयतन, ऊर्चाई समायोजन पेच की सहायता से औसतमान के 15% तक विस्तारित किया जाता है। मशीन का तकनीकी व्यौरा निम्नलिखित है:-

नाम	:	कप फिलर और पैकिंग मशीन सहित स्वचालित आटोरैप
टाइप:-	:	बी डी 16/32 श्रृंखला
अधिकतम क्षमता	:	5 किलोग्राम
न्यूनतम क्षमता	:	500 ग्राम
अधिकतम अनुज्ञेय त्रुटि	:	0.5%
मशीन निवेश	:	60 पाउच प्रति घंटा
संप्रदर्शन	:	स्फटिक
भरे जाने वाले पदार्थ	:	मुक्त प्रवाही पदार्थ जैसे कि चाय, चीनी आदि
विद्युत प्रवाय	:	400-440 वोल्ट 50 हर्टज 3 फेस प्रत्यावर्ती धारा
ताप की रेज	:	+10 डिग्री से. से 45 डिग्री से.

इसके अतिरिक्त केन्द्रीय सरकार, उक्त धारा की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, घोषित करती है कि उक्त माडल के अनुमोदन प्रमाणपत्र के अन्तर्गत इसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन और सामग्री जिससे अनुमोदित माडल का विनिर्माण किया गया है, के अनुसार विनिर्भीत बी डी 16/32 और 8/20 श्रृंखला के समरूप मेक, शुद्धता और निष्पादन वाले 25 सी सी से 5000 सी सी या 2 ग्राम से 5 कि. ग्रा. अधिकतम क्षमता वाले तुलन यंत्र भी हैं।

New Delhi, the 17th April, 1998

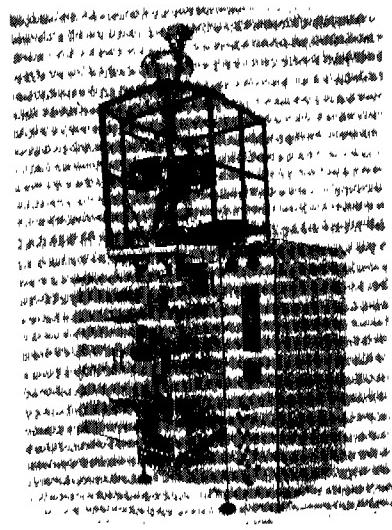
S.O. 887.—Whereas, the Central Government after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-section (7) of section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the Model of the automatic Autowrap with Cup filler and packing machine and with brand name "Autowrap BD/16/32 with Cup filler" series, (hereinafter referred to as the Model) manufactured by M/s Tetra Pak Nichrome (India) Limited, 46, Dr. Ambedkar Road, Near Sangam Bridge, Pune-411001, Maharashtra State, and which is assigned the approval mark IND/09/97/58;

The Model (see figure) is an automatic Autowrap Cup filling and packing machine. The cup filler consists of six cups mounted between two round plates having a flap arrangement at the bottom of each cup which are telescopic in nature. The volume of the filling cup is adjusted with the help of a height adjusting screw to the extend of $\pm 15\%$ of the mean value. The technical details of the machine are as follows :—

Name	:	Automatic Autowrap with Cup filler and packing machine
Type :-	:	BD 16/32 series
Maximum Capacity	:	5 kg
Minimum Capacity	:	500g
Maximum permissible error	:	0.5%
Machine output	:	60 pouches per hour.
Display	:	LED
Products filled	:	Free flowing products like tea, sugar etc.
Power Supply	:	400-440V, 50 Hertz 3 phase a.c.
Temperature range	:	+10°C to 45°C

Further, in exercise of the powers conferred by sub-section (12) of the said section, the Central Government hereby declares that this certificate of approval of the Model shall also cover the weighing instrument of similar make, accuracy and performance of BD 16/32 and 8/20 series with maximum capacity of 25cc to 5000cc or 2g to 5kg, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the approved Model has been manufactured.



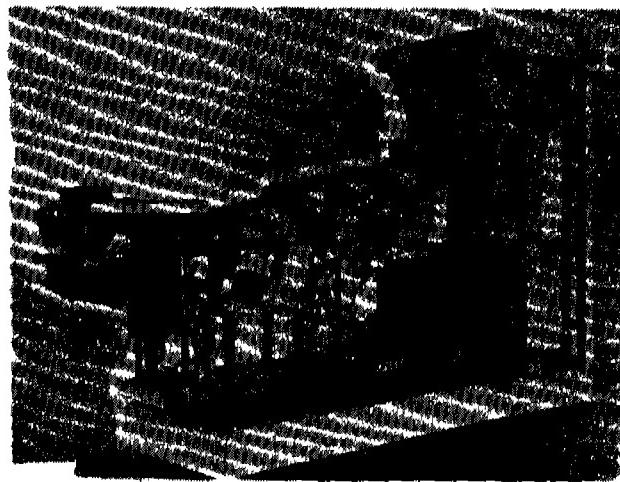
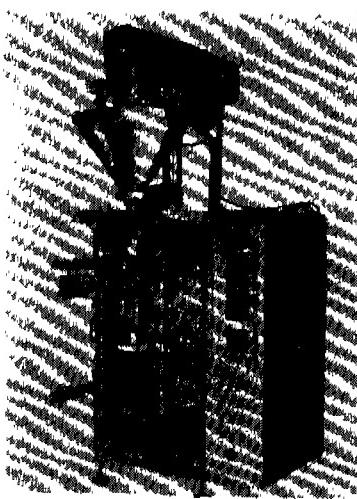
[File No. WM 21(78)/95]
RAJIV SRIVASTAVA, Addl. Secy.

(Figure)

नई दिल्ली, 17 अप्रैल, 1998

फा. आ. 888.— केन्द्रीय सरकार का विहित प्राधिकारी द्वारा उसे प्रस्तुत कि गई रिपोर्ट (नीचे आकृति देखिए) पर विचार करने के पश्चात् समाधान हो गया है कि उक्त रिपोर्ट में वर्णित माडल बाट और माप मानक अधिनियम, 1976 (1976 का 60) और बाट और माप मानक (माडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि अधिकतम उपयोग की अवधि में यथार्थता बनाए रखेगा और परिषर्तित दशाओं में उपयुक्त सेवा देता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, स्वसूची स्वचालित तोलन मशीन के माडल का जिसका ब्रांड नाम “इलेक्ट्रॉनिक भार फिलर सहित आटोरैप /16/32 श्रृंखला” है (जिसे इसमें इसके पश्चात माडल कहा गया है) जिसका विनिर्माण मैसर्स टेट्रा पैक नाइक्रोम (इंडिया) लि., 46, अम्बेडकर मार्ग, संगम पुल के निकट, पुणे-411001 महाराष्ट्र राज्य द्वारा किया गया है और जिसे अनुमोदन दिया आई.एन.डी./09/97/59 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है।



(आकृति)

यह माडल (आकृति देखिए) गुरुत्व के सिद्धान्त पर आधारित एक स्वचालित इलेक्ट्रॉनिक भार फिलिंग और पैकिंग मशीन है और इसमें एक घृत: परिषर्ती, अन्तर टान्सफार्मर लोडलैल नियमित है। मशीन का तकनीकी व्यौरा निम्नलिखित है:—

नाम	:	स्वसूची स्वचालित तोलन मशीन और पैकिंग मशीन
टाइप	:	बी डी 8/20 श्रृंखला
अधिकतम क्षमता	:	500 ग्राम
चूनतम क्षमता	:	50 ग्राम
अधिकतम अनुज्ञेय त्रुटि	:	0.5%
मशीन निवेश	:	5-30 तोलन भरण प्रति मिनट
संप्रदर्शन	:	स्फटिक
भरे जाने वाले पदार्थ	:	मुक्त प्रवाही पदार्थ जैसे कि चाय, चीनी आदि
विद्युत प्रदाय	:	400-440 बोल्ट 50 हर्टज
ताप की रेंज	:	+10 डिग्री से. से 45 डिग्री से.

इसके अतिरिक्त केन्द्रीय सरकार, उक्त धारा की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, घोषित करती है कि उक्त माडल के अनुमोदन प्रमाणपत्र के अन्तर्गत इसी विनिर्माण द्वारा उसी सिद्धान्त, डिजाइन और सामग्री जिससे अनुमोदित माडल का विनिर्माण किया गया है, के अनुसार विनिर्मित बी डी 16/32 और 8/32 श्रृंखला के समरूप मेक, शुद्धता और निष्पादन वाले 2 ग्राम से 5 कि. ग्रा. अधिकतम क्षमता वाले तुलन यत्र भी है।

[फा. सं. डक्ट्यू. एम. 21 (78)/95]

राजीव श्रीवास्तव, अपर सचिव

New Delhi, the 17th April, 1998

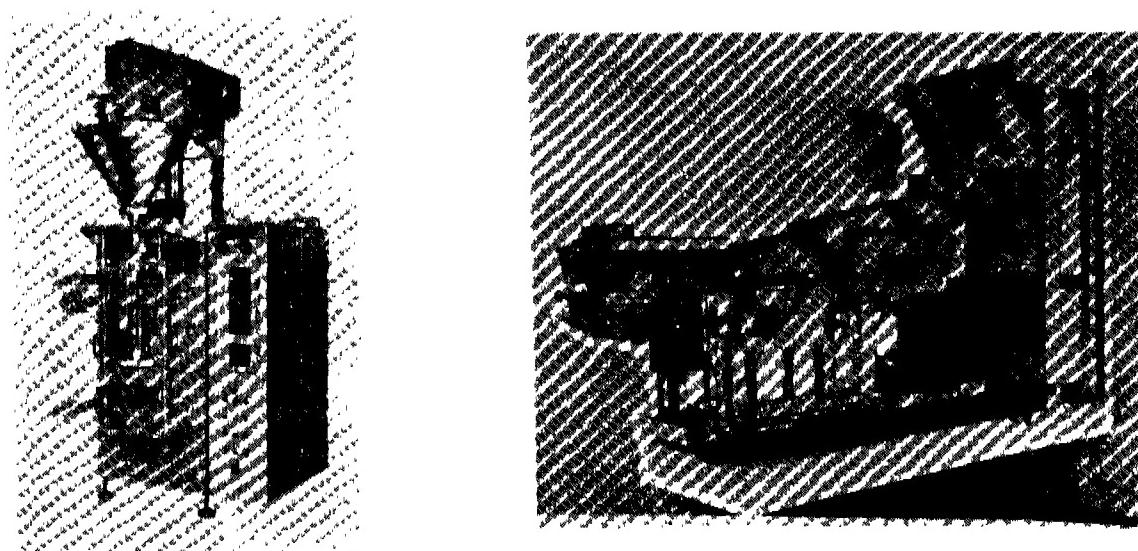
S.O. 888.—Whereas, the Central Government after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-section (7) of section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the Model of the automatic weighing machine with self indication and with brand name "Autowrap/16/32 with electronic weigh filler" series, (hereinafter referred to as the Model) manufactured by M/s Tetra Pak Nichrome (India) Limited, 46, Dr. Ambedkar Road, Near Sangam Bridge, Pune-411001, Maharashtra State, and which is assigned the approval mark IND/09/97/59;

The Model (see figure) is an automatic electronic weigh filling and packing machine based on the principle of gravity and incorporated with a linearly variable, differential transformer load cell (LVDT). The technical details of the machine are as follows :

Name	:	Automatic weighing machine with self indication and packing machine
Type	:	BD 8/20 series
Maximum Capacity	:	500 g
Maximum Capacity	:	50g
Maximum permissible error	:	0.5%
Machine output	:	5-30 weighfills/minute
Display	:	LED
Products filled	:	Free flowing products like tea, sugar etc.
Power Supply	:	400-440v, 50 Hertz 3 phase a.c.
Temperature range	:	+10°C to 45°C

Further, in exercise of the powers conferred by sub-section (12) of the said section, the Central Government hereby declares that this certificate of approval of the Model shall also cover the weighing instrument of similar make, accuracy and performance of BD 16/32 and 8/20 series with maximum capacity of 2g to 5kg, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the approved Model has been manufactured.



(Figure)

[File No. WM 21(78)/95]
RAJIV SRIVASTAVA, Addl. Secy.

नई दिल्ली, 17' अप्रैल, 1998

का.आ. 889.— केन्द्रीय सरकार का विहित प्राधिकारी द्वारा उसे प्रस्तुत कि गई रिपोर्ट पर विचार करने के पश्चात् समाधान हो गया है कि उक्त रिपोर्ट में वर्णित माडल (नीचे दी गई आकृति देखिए) बाट और माप मानक अधिनियम, 1976 (1976 का 60) और बाट और माप मानक (माडल का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि वह लगातार प्रयोग की अवधि में यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा देता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यथार्थता (मध्यम यथार्थता) वर्ग-3 की "आई.ए.-टी.टी." सिरीज टाइप के "इण्डियाना" ब्रांड नाम वाले स्वतः सूचक और स्वचालित इलैक्ट्रॉनिक टेबल टॉप तोलन मशीन के माडल का (जिसे इसके पश्चात माडल कहा गया है) जिसका विनिर्माण मैसर्स इण्डियाना आटोमैशन स. 3, 7 थों क्रास बून्डावन नगर, माथीकेरे बंगलोर-560054 द्वारा किया गया है और जिसे अनुमोदन चिह्न आई.एन.डी./09/97/83 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है।

उक्त माडल एक मध्यम यथार्थता (यथार्थता वर्ग-3) का तोलन उपकरण है जिसकी अधिकतम क्षमता 20 किलोग्राम और न्यूनतम क्षमता 100 ग्राम है। सत्पापन मापान अन्तर (\pm) 5 ग्राम है। इसमें एक टेयर युक्ति है जिसका व्यक्तिगत प्रतिधारण टेयर प्रभाव 100 प्रतिशत है। भारग्राही आयताकार सेक्शन का है जिसकी भुजाएं 230 × 290 मि.मी. हैं प्रकाशउत्सर्जन डायोड संप्रदर्श तोल परिणाम उपदर्शित करता है। यह उपकरण 230 वोल्ट और आवृत्ति 50 हर्ट्ज के प्रत्यावर्ती धारा विद्युत प्रदाय पर प्रचालित होता है।



(आकृति)

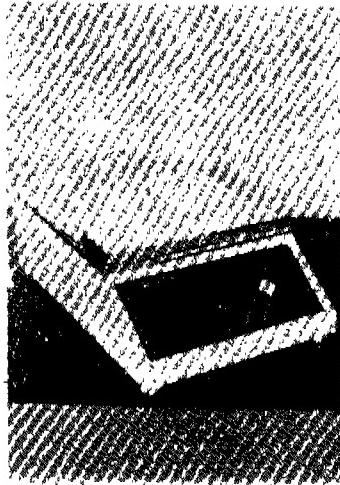
आगे, केन्द्रीय सरकार, अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि माडल के अनुमोदन के इस प्रमाण पत्र के अंतर्गत उसी विनिर्माण द्वारा उसी सिद्धान्त डिजाइन के अनुसार और उसी सामग्री से, जिससे अनुमोदित माडल का विनिर्माण किया गया है विनिर्मित 200 ग्रा./0.05 ग्रा., 1 कि.ग्रा./0.2 ग्रा., 2 कि.ग्रा./0.5 ग्राम, 3 कि.ग्रा./1 ग्राम, 5 कि.ग्रा./1 ग्राम 6 कि.ग्रा./2 ग्राम, 10 कि.ग्रा./2 ग्राम., 12 कि.ग्रा./2 ग्राम, 30 कि.ग्रा./5 ग्राम और 50 कि.ग्रा./10 ग्राम की अधिकतम क्षमता वाले समरूप मैक, यथार्थता और उसी सिरीज के कार्यकरण वाले तोलन उपकरण भी है।

[फा. सं. डब्ल्यू. एम. 21 (82)/95]
राजीव श्रीवास्तव, अपर सचिव

New Delhi, the 17th April, 1998

S.O. 889.—Whereas, the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-section (7) of section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the Model of the self-indicating, non-automatic, electronic table top weighing machine of type "IA-TT" series of class III accuracy (medium accuracy) and with brand name "INDIANA" (hereinafter referred to as the Model) manufactured by M/s Indiana Automation, No. 3, 7th Cross, Brindavan Nagar, Mathikere, Bangalore-560054, and which is assigned the approval mark IND/09/97/83;



(figure)

The said Model is a medium accuracy (accuracy class III) weighing instrument with a maximum capacity of 20kg and minimum capacity of 100g. The verification scale interval (e) is 5g. It has a tare device with a 100 percent subtractive retained tare effect. The load receptor is of rectangular section of sides 230 x 290 millimetre. The light emitting diode display indicates the weighing result. The instrument operates on 230 volts and frequency 50 hertz, alternate current power supply.

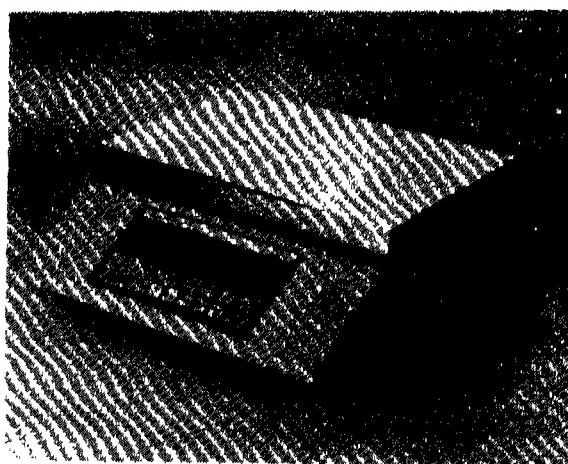
Further, in exercise of the powers conferred by sub-section (12) of the section 36 of the Act, the Central Government hereby declares that this certificate of approval of the Model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity of 200g/0.05g, 1kg/0.2g, 2kg/0.5g, 3kg/1g, 5kg/1g, 6kg/2g, 10kg/2g, 12kg/2g, 30kg/5g and 50kg/10g manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the approved Model has been manufactured.

[File No. WM 21(82)/95]
RAJIV SRIVASTAVA, Addl. Secy.

नई दिल्ली, 17 अप्रैल, 1998

का. आ. 890.— केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रसूत कि गई रिपोर्ट पर विचार करने के पश्चात् समाधान हो गया है कि उक्त रिपोर्ट में वर्णित माडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) और बाट और माप मानक (माडलों का अनुमोदन) नियम, 1987 के उपर्युक्तों के अनुरूप है और इस बात की संभावना है कि अधिकतर उपयोग की अवधि में भी उक्त माडल यथार्थता बनाए रखेगा और परिवर्तित दशाओं में उपयुक्त सेवा देता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, वर्ग - 3 शुद्धता (मध्यम शुद्धता) वाली "सी.एल.पी." श्रृंखला की स्वसूची सेट स्वचालित इलेक्ट्रानिक टेबल टाप तुलन यंत्र के माडल का जिसका ग्रांड नाम "कानदे" है (जिसमें इसके पश्चात् माडल कहा गया है) और जिसका विनिर्माण मैसर्स कानवे इलेक्ट्रानिक्स इन्ड्यूस्ट्रीज प्रा. लि., 18, दूसरा तल भण्डुप इंडिस्ट्रियल हस्टंड, पंजाब लाल सिल्क मिल्स अहमदाबाद, एल बी एस मार्ग, भण्डुप पश्चिम, पुर्णाई-400078 द्वारा किया गया है और जिसे अनुमोदन चिन्ह आई.एन.टी./09/97/45 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र प्रकाशित करती है।



आकृति

यह माडल (आकृति देखें) मध्यम शुद्धता (शुद्धता वर्ग-3 का तुला यंत्र है, जिसकी अधिकतम क्षमता 20 किलोग्राम और न्यूनतम क्षमता 100 ग्राम है)। सत्यापन मापमान अन्तराल 5 ग्राम है। इसमें एक आधेयतुलन युक्ति है जिसका शतप्रतिशत व्यक्तलनात्मक धारित प्रभाव है। उद्घाटन ग्राही वर्गाकार है जिसकी भुजाएं 320 मि.मी. हैं। द्रव्य स्फटिक संप्रदर्शन तुलन उपदर्शित करता है। यंत्र 230 बोल्ट और 50 हर्टज आवृत्ति पर प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

इसके अतिरिक्त केन्द्रीय सरकार, उक्त धारा की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषित करती है कि उक्त माडल के अनुमोदन प्रमाणपत्र के अन्तर्गत इसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन और सामग्री जिससे अनुमोदित माडल का विनिर्माण किया गया है, के अनुसार विनिर्मित इसी श्रृंखला के समरूप मेंक, शुद्धता और निष्पादन वाले 5 कि.ग्रा./1 ग्रा. 10 कि.ग्रा./2 ग्रा., 20 कि.ग्रा./2ग्रा., 25 कि.ग्रा./5 ग्रा., 30 कि.ग्रा./5 ग्रा., 50 कि.ग्रा./10 ग्रा. की अधिकतम क्षमता वाले तुलन यंत्र भी हैं।

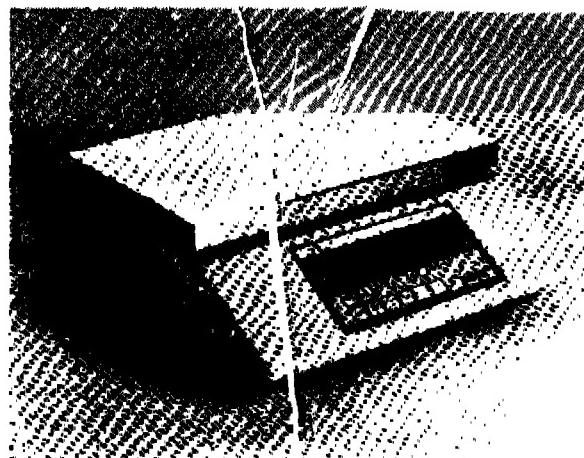
[फा. सं. ऊर्जा. एम. 21 (84)/95]
राजीव श्रीवास्तव, अपर सचिव

New Delhi, the 17th April, 1998

S. O. 890.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-section (7) of section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the Model of the self-indicating non-automatic electronic table top weighing machine of type "CLP" series of class III accuracy (Medium Accuracy) and with brand name "CONWEIGH" (hereinafter referred to as the Model) manufactured by M/s Conweigh Electronic Instruments Private Limited, 18, II Floor, Bhandup Ind. Estate, Pannalal Silk Mill Compound, LCS Road, Bhandup (W), Mumbai-400 078, and which is as signed the approval mark IND/09/97/45;

The Model (see figure) is a medium accuracy (accuracy class III) weighing instrument with a maximum capacity of 20kg and minimum capacity of 100g. The verification scale interval (ϵ) is 5g. It has a tare device with a 100 per cent subtractive retained tare effect. The load receptor is of square section of sides 320 millimetre. The LED display indicates the weighing result. The instrument operates on 230 volts and frequency 50 Hertz, alternate current power supply.



(figure)

Further, in exercise of the powers conferred by sub-section (12) of the said section, the Central Government hereby declares that this certificate of approval of the Model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity of 5kg/1g, 10kg/2g, 20kg/2g, 25kg/5g, 30kg/5g and 50kg/10g, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the approved Model has been manufactured.

[File No WM 21(84)/95]

RAJIV SRIVASTAVA, Addl. Secy.

नई दिल्ली, 17 अप्रैल, 1998

का. आ. 891.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत की गई रिपोर्ट पर विचार करने के पश्चात्, समाधान हो गया है कि उक्त रिपोर्ट में वर्णित माडल (नीचे दी गई आकृति देखिए) बाट और माप मानक अधिनियम, 1976 (1976 का 60) और बाट और माप मानक (माडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि आविरत उपयोग की अवधि में भी उक्त माडल यथार्थता बनाए रखेगा और परिवर्तित दशाओं में उपयुक्त सेवा देता रहेगा:

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की घारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, वर्ग III शुद्धता (मध्यम शुद्धता) वाली “सी एल बी” श्रृंखला की स्वसूची और स्वचालित इलेक्ट्रॉनिक प्लेटफार्म तुलनात्मक के माडल का जिसका ब्रांडनाम कानवे है (जिसे इसमें इसके पश्चात् माडल कहा गया है) और जिसका विनिर्माण मैं० कानवे इलेक्ट्रॉनिक्स इस्ट्रूमेंट्स प्रा०लि० 10, दूसरा तल भण्डूप इंडस्ट्रियल इस्टेट, पन्ना साल सिल्क बिल्म अहाता, एल बी एस मार्ग, भण्डूप पर्शियम, मुम्बई-400078 द्वारा किया गया है और जिसे अनुमोदन दिया आई. एन. डी./09/97/46 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है।

यह माडल (आकृति देखें) मध्यम शुद्धता (शुद्धता वर्ग III) का तुला यंत्र है, जिसकी अधिकतम क्षमता 150 किलोग्राम और न्यूनतम क्षमता 400 ग्राम है। सत्यापन मापमान अन्तराल 20 ग्राम है। इसमें एक आधेयतुलन युक्ति है जिसका शतप्रतिशत व्यक्तिनात्मक धारित प्रभाव है। उद्भार ग्राही वर्गाकार है जिसकी भुजाएं 600 मि. मी. हैं। इव्य स्फटिक संप्रदर्शन तुलन उपदर्शित करता है। यंत्र 230 वोल्ट और 50 हर्टज आवृति पर प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



आकृति

इसके अतिरिक्त केन्द्रीय सरकार, उक्त धारा की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषित करती है कि उक्त माडल के अनुमोदन प्रमाणपत्र के अन्तर्गत इसी विनिर्माण द्वारा उसी सिद्धान्त, डिजाइन और सामग्री जिससे अनुमोदित माडल का विनिर्माण किया गया है, के अनुसार विनिर्मित इसी श्रृंखला के समरूप मेक, शुद्धता और निष्पादन वाले 60कि.ग्रा./10 ग्रा. या 20 ग्रा., 100 कि.ग्रा./10 ग्रा. या 20 ग्रा., 120 कि.ग्रा./20 ग्रा., 150 कि.ग्रा./10ग्रा., 200 कि.ग्रा./20 ग्रा. या 50 ग्रा., 300 कि.ग्रा./50 ग्रा. या 100 ग्रा. 500 कि.ग्रा./100 ग्रा., 800 कि.ग्रा./200 ग्रा., 1 टन/200 ग्रा. या 500 ग्रा., 1.5 टन/500 ग्रा. और 2 टन/500 ग्रा. या 1 कि.ग्रा. की अधिकतम क्षमता वाले तुलन यंत्र भी हैं।

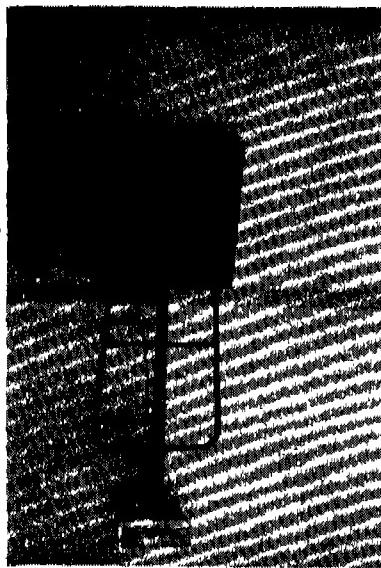
[प. ग. सं. ऊस्यू. एम. 21 (84)/95]
राजीव श्रीवास्तव, अपर सचिव

New Delhi the 17th April, 1998

S.O. 891.— Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-section (7) of section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the Model of the self-indicating non-automatic electronic platform weighing machine of type "CLP" series of Class III accuracy (medium accuracy) and with brand name "CON-WEIGH" (hereinafter referred to as the Model) manufactured by M/s. Conweigh Electronic Instruments Pvt. Ltd., 18, II Floor, Bhandup Ind. Estate, Pannalal Silk Mill Compound, LBS Road, Bhandup (W), Mumbai-400 078, and which is assigned the approval mark IND/09/97/46;

The Model is a medium accuracy (accuracy class III) weighing instrument with a maximum capacity of 150kg and minimum capacity of 400g. The verification scale interval (ϵ) is 20g. It has a tare device with a 100 per cent subtractive retained tare effect. The load receptor is of square section of side 600 millimetre. The LED display indicates the weighing result. The instrument operates on 230 volts and 50 Hertz alternate current power supply;



(Figure)

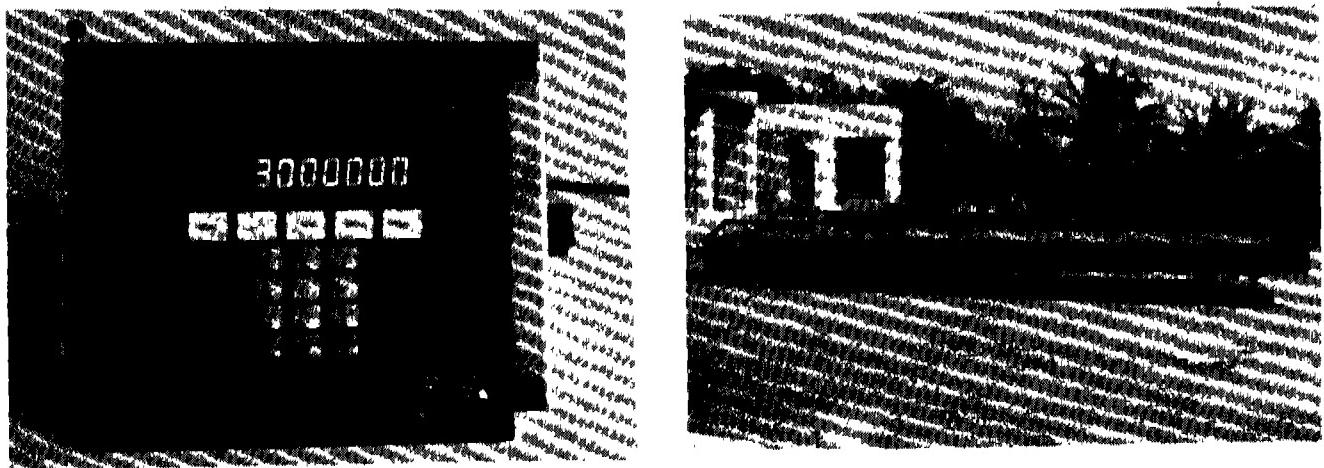
Further, in exercise of the powers conferred by sub-section (12) of the said section, the Central Government hereby declares that this certificate of approval of the Model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity of 60kg/10g, or 20g, 100kg/10g or 20g, 120kg/20g, 150kg/10g, 200kg/20g or 50g, 300kg/50g or 100g, 500kg/100g, 800kg/200g, 1 ton/200g or 500g, 1.5 ton/500g and 2 ton/500g or 1kg manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the approved Model has been manufactured.

[File No WM 21(84)/95]
RAJIV SRIVASTAVA, Addl. Secy.

नई दिल्ली, 17 अप्रैल, 1998

का. आ. 892.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत की गई रिपोर्ट पर विचार करने के पश्चात् समाधान हो गया है कि उक्त रिपोर्ट में वर्णित माडल (नीचे दी गई आकृति देखिए) बाट और माप मानक अधिनियम, 1976 (1976 का 60) और बाट और माप मानक (माडलों का अनुमोदन) नियम, 1987 के उपर्योग के अनुरूप है और यह संभावना है कि उक्त माडल अधिकृत उपयोग की अवधि में भी याथार्थता बनाए रखेगा और परिवर्तित दशाओं में उपयुक्त सेवा देता रहेगा:

आतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, वर्ग III शुद्धता (मध्यम शुद्धता) के “टी एम-950” श्रृंखला टाइप के अंक संप्रदर्शन वाले यंत्रों में संपरिवर्तित करने के लिए, स्व-सूची गैर-स्वचालित स्फटिक संप्रदर्शन वाले इलेक्ट्रॉनिक तुलन यंत्र के माडल का जिसका ब्रांड नाम “ऐसे” है (जिसे इसमें इसके पश्चात माडल कहा गया है) और जिसका विनिर्माण मैसर्स ऐसे डिजीटानिक्स प्रा. लि., ए-1, ऐसे इंडिस्ट्रियल इस्टेट, 62/3, बेगुर हुगली मार्ग, बोमनहस्ती, बैंगलौर-६८ द्वारा किया गया है और जिसे अनुमोदन विह आई. एन. डी./09/97/61 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है।



आकृति

यह माडल (आकृति देखें) मध्यम शुद्धता (शुद्धता वर्ग III) का तुलन उपकरण है, जिसकी अधिकतम क्षमता 30000 किलोग्राम और न्यूनतम क्षमता 100 किलोग्राम है। सत्यापन मापमान अन्तराल 5 कि. ग्राम है। इसमें एक आधेयतुलन युक्ति है जिसका शतप्रतिशत व्यक्तिनात्मक धारित प्रभाव है। उद्धभार ग्राही आयातकार है जिसकी भुजाएं 6×3 मीटर हैं। प्रकाश उत्सर्जक डायोड तुलने उपर्योगित करता है। यंत्र 230 बोल्ट और 50 हर्टज आवृत्ति पर प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

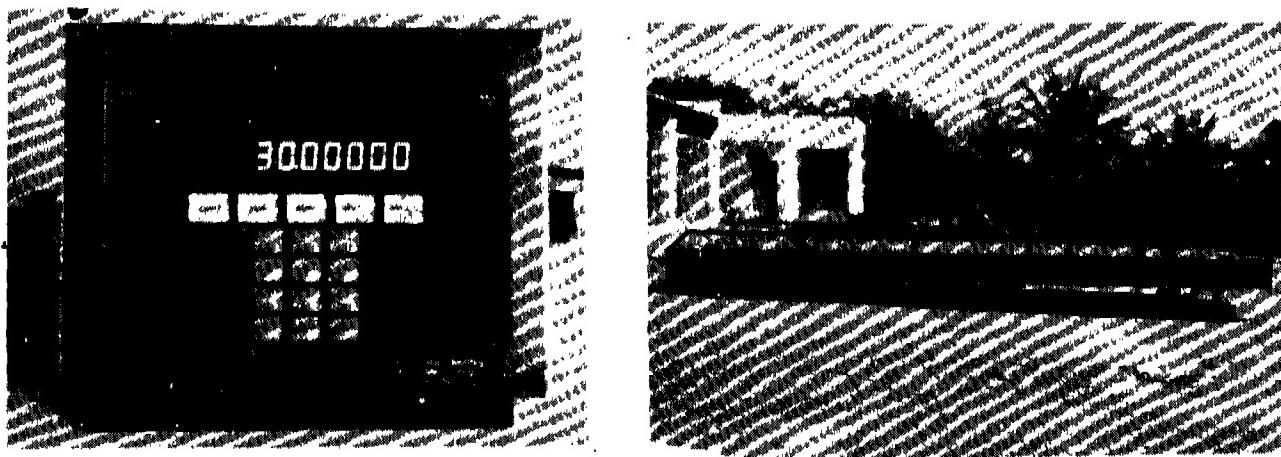
इसके अतिरिक्त केन्द्रीय सरकार, उक्त धारा की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषित करती है कि उक्त माडल के अनुमोदन प्रमाणपत्र के अन्तर्गत इसी विनिर्माण द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित माडल का विनिर्माण किया गया है, विनिर्मित इसी श्रृंखला के समरूप मेक यथार्थता और निष्पादन वाले 20 टन/5 कि.ग्रा. 40 टन/5 कि.ग्रा., 50 टन/10 कि.ग्रा. और 60 टन/10 कि.ग्रा. की अधिकतम क्षमता वाले तुलन यंत्र भी हैं।

[फा. सं. ऊब्ल्यू. एम. 21 (3)/96]
राजीव श्रीवास्तव, अपर सचिव

New Delhi, the 17th April, 1998

S.O. 892.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-section (7) of section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the Model of the self-indicating, non-automatic, weighbridge with digital display of type "TM-950" series of class III accuracy (Medium accuracy) and with brand name "ESSAE" (hereinafter referred to as the Model) manufactured by M/s Essae Digitronics Pvt. Ltd., A-1, Essae Industrial Estate, 62/3, Begur Hobli Road, Bommanahalli, Bangalore-68, and which is assigned the approval mark IND/09/97/67;



(figure)

The Model (see figure) is a medium accuracy (accuracy class III) weighing instrument with a maximum capacity of 30000kg and minimum capacity of 100kg. The verification scale interval (ϵ) is 5kg. It has a tare device with a 100 percent subtractive retained tare effect. The load receptor is of rectangular section of sides 6×3 metre. The Light Emitting Diode indicates the weighing result. The instrument operates on 230 volts and frequency 50 Hertz, alternate current power supply.

Further, in exercise of the powers conferred by sub-section (12) of the said section, the Central Government hereby declares that this certificate of approval of the Model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity of 20t/5kg, 40t/5kg, 50t/10kg, and 60t/10kg, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the approved Model has been manufactured.

[File No. WM 21(3)/96]
RAJIV SRIVASTAVA, Addl. Secy.

नई दिल्ली, 17 अप्रैल, 1998

का.आ. 893.—केन्द्रीय सरकार का विहित प्राधिकारी द्वारा उसे प्रसुत की गई रिपोर्ट पर विचार करने के पश्चात्, समाधान हो गया है कि उक्त रिपोर्ट में वर्णित माडल (नीचे दी गई आकृति देखिए) बाट और माप मानक अधिनियम, 1976 (1976 का 60) और बाट और माप मानक (माडल का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप हैं और इस बात की संभावना है कि यह लगातार प्रयोग की अवधि में यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा देता रहेगा;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यथार्थता (मध्यम यथार्थता) वर्ग-III की “डी.” सिरीज टाइप के और “एल्डरफैस” ब्रांड नाम वाले स्वतः सूचक गैर-स्वचालित इलैक्ट्रॉनिक टेबल टॉप तोलन मशीन के माडल का (जिसे इसमें इसके पश्चात् माडल कहा गया है) जिसका विनिर्माण मैसर्स एल्डर इंडस्ट्रियल इंस्ट्रुमेंट्स प्रा. लि., डब्ल्यू-345, टीटी सी इन्डस्ट्री परिया, राबल नवी मुम्बई-4000701 द्वारा किया गया है और जिसे अनुमोदन चिह्न आई. एन. डी. 09/97/88 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है।

उक्त माडल एक मध्यम यथार्थता (यथार्थता वर्ग-III) का तोलन उपकरण है जिसकी अधिकतम क्षमता 10 किलोग्राम और न्यूनतम क्षमता 40 ग्राम है। संस्थापन मापमान अन्तर (ई) 2 ग्राम है। इसमें एक टेयर युक्ति है जिसका व्यक्लनात्मक प्रतिधारण टेयर प्रभाव 100 प्रतिशत है। भारतीय आयताकार सेक्शन का है जिसकी भुजा 340 × 215 मि.मी. है। प्रकाशउत्सर्जन डायोड संप्रदर्श तोल परिणाम उपदर्शित करता है। यह उपकरण 230 बोल्ट और आवृति 50 हर्ट्ज के प्रस्थायर्ती धारा विद्युत प्रदाय पर प्रचालित होता है।



(आकृति)

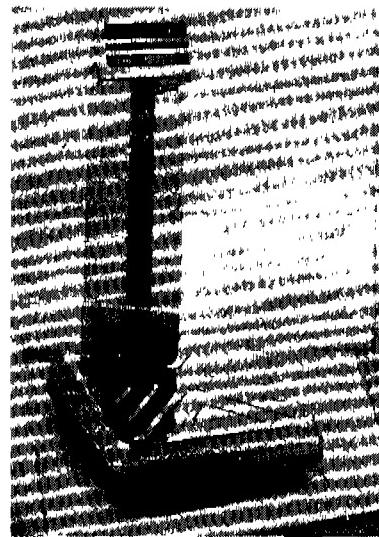
आगे, केन्द्रीय सरकार, उक्त धारा की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि माडल के अनुमोदन के इस प्रमाण पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त डिजाइन के अनुसार और उसी सामग्री से, जिससे अनुमोदित माडल का विनिर्माण किया गया है, विनिर्मित 2.5 कि.ग्रा./0.5 ग्रा., 6 कि.ग्रा./2 ग्रा., 15 कि.ग्रा./5 ग्राम, 25 कि.ग्रा./5 ग्राम और 30 कि.ग्रा./10 ग्राम की अधिकतम क्षमता वाले समरूप मेक, यथार्थता और उसी सिरीज के कार्यकरण वाले तोलन उपकरण भी हैं।

[फा. सं. डब्ल्यू. एम.-21(6)/97]
राजीव श्रीवास्तव, अपर सचिव

New Delhi, the 17th April, 1998

S.O. 893.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain the accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-section (7) of section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the Model of the self-indicating, non-automatic, electronic table top weighing machine of type "D" series of class III accuracy (medium accuracy) and with brand name "ELDER-CAS" (hereinafter referred to as the Model) manufactured by M/s Elder Industrial Instruments Pvt. Ltd., W-345, TTC Indl. Area, Rabale, Navi Mumbai-400701, and which is assigned the approval mark IND/09/97/88;



(figure)

The said Model is a medium accuracy (accuracy class III) weighing instrument with a maximum capacity of 10kg and minimum capacity of 40g. The verification scale interval (e) is 2g. It has a tare device with a 100 percent subtractive retained tare effect. The load receptor is of rectangular section of sides 340×215 millimetre. The Light Emitting Diode display indicates the weighing result. The instrument operates on 230 volts and frequency 50 Hertz, alternate current power supply.

Further, in exercise of the powers conferred by sub-section (12) of the said section, the Central Government hereby declares that this certificate of approval of the Model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity of 2.5Kg/5g, 6Kg/2g, 15Kg/5g, 25kg/5g and 30kg/10g manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the approved Model has been manufactured.

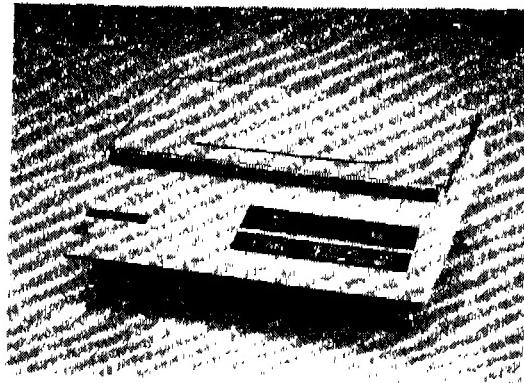
[File No. WM 21(6)/97]
RAJIV SRIVASTAVA, Addl. Secy.

नई दिल्ली, 17 अप्रैल, 1998

का. आ. 894.— केन्द्रीय सरकार का विहित प्राधिकारी द्वारा उसे प्रस्तुत कि गई रिपोर्ट पर विचार करने के पश्चात् समाधान हो गया है कि उक्त रिपोर्ट में चर्जित माडल (नीचे दी गई आकृति देखिए) बाट और माप मानक अधिनियम, 1976 (1976 का 60) और बाट और माप मानक (माडल का अनुमोदन) नियम, 1987 के उपर्युक्तों के अनुरूप है और इस बात की संभावना है कि वह लगातार प्रयोग की अवधि में यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा देता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यथार्थता (उच्च यथार्थता) वर्ग-II की "एम डब्ल्यू." सिरीज टाइप के "एलडर-केस" डांड नाम वाले स्वतः सूचक गैर-स्वचालित इलेक्ट्रॉनिक टेक्नलॉजीप्रोटोलॉगी के माडल का (जिसमें इसके पश्चात् माडल कहा गया है) जिसका विनिर्माण मैसर्स एल्डर इंडस्ट्रियल इन्स्ट्रुमेंट्स प्रा. लि., डब्ल्यू-345, टीटी सी इंडस्ट्रियल परिया, राष्ट्र, नवी मुम्बई-400071 द्वारा किया गया है और जिसे अनुमोदन विहृत आई.एन.डी./09/97/87 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है।

उक्त माडल एक उच्च यथार्थता (यथार्थता वर्ग-2) का सोलन उपकरण है जिसकी अधिकतम क्षमता 120 ग्राम और न्यूनतम क्षमता 200 मि.ग्रा. है। सत्त्वापन मापमान अन्तर (ई) 10 मि.ग्राम है। इसमें एक टेयर युक्त है जिसका व्यक्तिनात्मक प्रतिधारण टेयर प्रभाव 100 प्रतिशत है। भारतीय वृत्ताकार सेवान का है जिसका व्यास 110 मि. मी. है। प्रकाशउत्सर्जन डायोड संप्रदर्श तोल परिणाम उपदर्शित करता है। यह उपकरण 230 वोल्ट और आवृति 50 हर्ट्ज के प्रत्यावर्ती धारा विद्युत प्रदाय पर प्रचालित होता है।



(आकृति)

आगे, केन्द्रीय सरकार, उक्त धारा की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि माडल के अनुमोदन के इस प्रमाण पत्र के अंतर्गत उसी विनिर्माण द्वारा उसी सिद्धान्त डिजाइन के अनुसार और उसी सामग्री से, जिससे अनुमोदित माडल का विनिर्माण किया गया है विनिर्मित 1200 ग्रा./0.1 ग्रा., की अधिकतम क्षमता वाले समरूप मैक, यथार्थता और उसी सिरीज के कार्यकरण वाले सोलन उपकरण भी हैं।

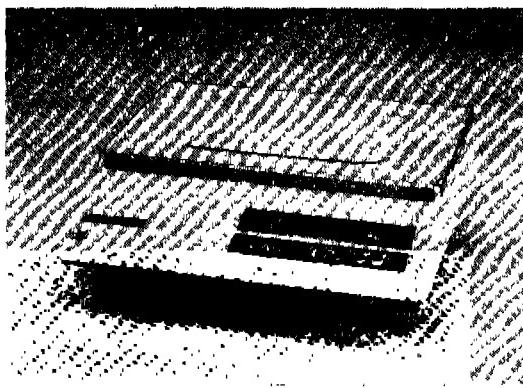
[फा. सं. डब्ल्यू. एम. 21(6)/97]

राजीव श्रीवास्तव, अपर सचिव

New Delhi, the 17th April, 1998

S. O. 894.—Whereas, the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (50 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain the accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-section (7) of section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the Model of the self-indicating, non-automatic, electronic table top weighing machine of type "MW" series of class II accuracy (high accuracy) and with brand name "ELDER-CAS" (hereinafter referred to as the Model) manufactured by M/s Elder Industrial Instruments Pvt. Ltd., W-345, TTC Indl. Area, Rabale, Navi Mumbai-4000701, and which is assigned the approval mark IND/09/97/87;



(figure)

The said Model is a high accuracy (accuracy class II) weighing instrument with a maximum capacity of 120g. and minimum capacity of 200mg. The verification scale interval (e) is 10mg. It has a tare device with a 100 percent subtractive retained tare effect. The load receptor is of circular section of diameter 110 millimetre. The Light Emitting Diode display indicates the weighing result. The instrument operates on 230 volts and frequency 50 hertz, alternate current power supply;

Further, in exercise of the powers conferred by sub-section (12) of the said section, the Central Government hereby declares that this certificate of approval of the Model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity of 1200g/0.1g, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the approved Model has been manufactured.

[File No. WM 21(6)/97]
RAJIV SRIVASTAVA, Addl. Secy.

पेट्रोलियम और प्राकृतिक गैस मंश्रालय

नई दिल्ली, 29 अप्रैल, 1998

का.आ. 895.— केंद्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि महाराष्ट्र राज्य में भारत पेट्रोलियम कार्पोरेशन लिमिटेड की परिष्करणी माहूल, मुंबई से मनमाड तक पेट्रोलियम के परिवहन के लिए परिवहन भारत पेट्रोलियम कार्पोरेशन लिमिटेड द्वारा पाईपलाइन बिछाई जाए :

और ऐसी पाईपलाइन बिछाने के प्रयोजनों के लिए इस अधिसूचना से उपावध्य अनुसूची में वर्णित भूमि के उपयोग के अधिकार का अर्जन करना आवश्यक है :

अतः, अब, केंद्रीय सरकार, पेट्रोलियम और खनिज पाईपलाइन [भूमि में उपयोग के अधिकार का अर्जन] अधिनियम 1962 [1962 का 50] की धारा 3 की उपधारा [1] द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उनमें उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है :

उक्त अनुसूची में वर्णित भूमि में हितवध्य कोई व्यक्ति, भारत के राजपत्र, में यथाप्रकाशित इस अधिसूचना की प्रतियां साधारण जनता को उपलब्ध करा दिए जाने की तारीख से इक्कीस दिन के भीतर, उनमें उपयोग के अधिकार का अर्जन और भूमि में पाईपलाइन बिछाने के संबंध में आपत्ति लिखित रूप में श्री. टी. ए. बागुल, सक्षम प्राधिकारी, मुंबई- मनमाड पाईपलाइन परियोजना, भारत पेट्रोलियम कार्पोरेशन लिमिटेड, 9-13, बसंत मार्केट, कनाढा कॉर्नर, नासिक - 422002 (महाराष्ट्र) को कर सकेगा ।

अनुसूची

गांव	गट नं / सर्वे नं	भूमि में उपयोग के अधिकार का अर्जन क्षेत्र		
		हेट्टेयर	आर	वर्गमीटर
1	2	3	4	5
राज्य : महाराष्ट्र				
तहसिल : इगतपुरी				
जिला : नासिक				
पिपलगांव धाडगा	3 5 11 12 17 18	0 0 0 0 0 0	09 06 07 02 09 03	00 00 00 00 00 00

1	2	3	4	5
	28	0	06	00
	29	0	12	00
	31	0	01	50
	105/B	0	19	00
	105/C	0	06	32
	106/A	0	16	35
	106/B	0	24	00
	140	0	03	00
	141	0	16	00
	143	0	04	00
	149	0	02	00
	151	0	06	65
	168/B	0	85	00
	167	0	16	00
पिपलगांव झुकरा	27	0	07	00
	28	0	01	20
	31	0	11	00
	32	0	04	00
	39	0	19	00
	151/A	0	06	00
	153	0	19	00
	154	0	18	00
	155	0	20	00
	175	0	29	00
	176	0	09	00
	216/B	0	44	00
	218	0	20	00
	219	0	13	00
	230	0	08	00
	232	0	03	00
	238	0	06	00
	23	0	03	00
	249	0	02	00
कवडदरा	88	0	03	00
	157	0	04	00
	159/B	0	06	00
	165	0	01	00
भरधिर खुर्द	542	0	04	00
	549	0	25	00
	622	0	04	00

1	2	3	4	5
	621	0	03	00
	626	0	09	00
	520	0	19	00
	519	0	06	00
	521	0	15	00
	522	0	56	00
	463	0	12	00
	677	0	09	48
	684	0	02	00
धारणगांव	413 (1323)	0	03	45
	409 (419)	0	02	37
	328 (333)	0	03	91
	327 (335)	0	03	00
	414 (313)	0	05	00
	298	0	03	00
	310	0	02	50
	305	0	01	00
	245	0	01	50
	253	0	18	82
	252	0	25	00
	155	0	03	20
	156	0	07	50
	157	0	06	00
	103/A	0	13	50
	103/B	0	13	50
	80	0	15	00
	87	0	30	00
	135	0	21	00
	73	0	02	00
	137	0	08	00
	94	0	31	40
	169	0	34	00
	83	0	06	00
	81	0	17	00
	799	0	51	50
	161	0	12	00
	162	0	22	50
	318	0	35	00
	78	0	01	00
	322	0	01	75
	145	0	02	86

1	2	3	4	5
	95	0	01	28
	798	0	20	30
	249	0	04	80
	239	0	33	00
	151	0	04	00
	165	0	05	00
	166	0	05	00
गंभिरवार्षी (धामणगांव)	57 (770)	0	01	68
	56 (769)	0	09	40
	54 (766)	0	04	00
	152 (830)	0	01	80
	149 (837)	0	06	50
	148 (834)	0	07	00
	158 (465)	0	02	75
	160 (463)	0	28	60
	39 (751)	0	09	52
	42 (754)	0	14	00
	43 (755)	0	14	30
	129 (838)	0	02	00
	159 (464)	0	01	00
	62 (775)	0	03	36
	26 (739)	0	17	28
	55 (767)	0	03	53
बेलगांव तरहाले	251	0	05	00
	194	0	00	88
	196	0	03	15
	197	0	04	60
	200	0	00	60
	161	0	04	00
	158	0	04	10
	156/1	0	17	00
	121	0	08	43
	120	0	03	00
	119	0	01	00
	106	0	16	35
	410	0	02	90
	408	0	11	32
	491	0	02	11
	493	0	14	16
	501	0	20	00

1	2	3	4	5
	482	0	01	27
	709	0	06	41
	660	0	19	95
	690	0	08	00
	661	0	24	39
	672	0	12	00
	675	0	08	15
	676	0	14	80
	677	0	08	40
	155	0	04	83
धामणी	22	0	44	00
	21	0	23	00
	37	0	02	00
	42	0	07	00
	359	0	02	00
	357	0	21	30
	377	0	26	50
	175	0	18	00
	358	0	32	40
पिंपलगांव मोर	69	0	09	00
	70	0	15	00
	75	0	62	30
	73	0	04	50
	74	0	23	00
	28	0	14	00
	307	0	32	50
	331	0	16	50
	333	0	05	00
	337	0	01	00
	330	0	05	00
	359	0	01	50
	360	0	04	50
	363	0	01	00
	364	0	01	00
	374	0	02	00
	459	0	12	00
	381	0	07	00
	382	0	01	50
	431	0	20	00
	419	0	01	00

1	2	3	4	5
	430	0	14	00
	422	0	09	00
	423	0	19	00
	425	0	08	00
	412/2	0	03	00
उभारे	141	0	41	24
	175	0	14	20
	171/2	0	10	31
	169	0	14	56
देवले	461	0	02	15
	471	0	03	17
	328	0	07	97
	323	0	02	32
	274	0	23	17
	263	0	11	30
	281	0	06	48
	256	0	10	20
	257	0	22	50
	252	0	06	16
	253	0	24	02
	468	0	18	06
	469	0	05	76
	228	0	26	34
	472	0	11	87
	309	0	16	20
	440/2	0	08	40
	307	0	15	90
	330	0	01	00
	327	0	06	08
	226	0	35	80
	255	0	09	75
	262	0	48	59
	308	0	15	00
	337	0	11	10
	325	0	03	50
	324	0	04	25
	473	0	01	00
	225	0	03	00
	224	0	00	80

1	2	3	4	5
	472	0	10	50
स्वैरग्य	602	0	01	20
	600	0	02	70
	595	0	16	20
	593	0	16	51
	592	0	06	24
	591	0	03	00
	590	0	01	00
	574	0	15	00
	573	0	05	16
	579	0	14	40
	576	0	06	65
	578	0	06	00
शेनवड बुद्धुक	765	0	02	13
	735	0	05	60
	738	0	10	92
	741	0	01	00
	742	0	06	30
	740	0	21	30
	727	0	29	00
	725	0	29	45
कांनधगांव	236 (418)	0	11	00
अयथितव्याजी (कांनधगांव)	74 (282)	0	16	79
	61 (267)	0	30	00
	176 (294)	0	05	00
	174 (31 1/2)	0	23	25
	173 (312)	0	02	50
	123 (390)	0	15	70
	124 (389)	0	01	30
	125 (387)	0	16	50
	127 (370)	0	02	00
	140 (373)	0	09	00
	153 (334)	0	06	00
	171 (332)	0	10	01
	172 (331)	0	09	30
	169 (333)	0	01	00

1	2	3	4	5
	80 (291)	0	07	25
तलोरी	137/B	0	03	60
	148	0	01	50
	149	0	00	71
	150	0	09	81
	169	0	00	66
	610	0	01	00
	609	0	00	84
	607	0	01	20
	604	0	01	15
	603	0	02	70
	601	0	01	30
	631/A	0	01	75
	576	0	08	12
	570	0	23	00
	567	0	00	75
	563	0	02	00
	555	0	14	75
	556	0	01	15
	553	0	01	55
	552	0	02	50
	550	0	01	94
	549	0	08	88
	460	0	04	75
	459	0	03	15
	457/A	0	01	00
	457/B	0	00	50
	447	0	02	11
	449	0	00	50
	448	0	04	43
	444	0	02	25
	443	0	04	14
	439	0	00	50
	566	0	10	00
तलोध	923	0	01	00
	922	0	05	85
	917	0	03	15
	913	0	03	23

1	2	3	4	5
	912	0	04	72
	907	0	04	00
	893	0	01	32
	894	0	01	90
	892	0	03	75
	828	0	06	36
	827	0	11	82
	832	0	02	88
	849	0	00	70
	854	0	03	25
	729	0	00	50
	792	0	07	50
पिंपरी सदरोद्धिन				
	166	0	01	00
	168	0	10	00
	171	0	12	00
	178	0	03	50
	176	0	01	85
	188	0	02	40
	196	0	12	00
	57	0	10	50
	210	0	02	65
	209	0	01	65
	229	0	00	75
	233	0	06	83
	256	0	03	23
	266	0	04	38
	265	0	05	88
	270	0	01	24
	271	0	01	45
	272	0	03	35
	273	0	11	10
	296	0	05	75
	333	0	04	80
	636	0	02	79
	629	0	07	50
	618	0	04	23
	617	0	31	42
	571	0	03	44
	547	0	11	75
	546	0	01	60

1	2	3	4	5
	167	0	05	00
	56	0	16	29
	515	0	11	25
वाष्पार्ती वार्षी (शोरली)	104	0	01	17
	107	0	01	10
	115 (346)	0	07	56
	122 (353)	0	14	32
	123 (354)	0	01	62
	124 (355)	0	06	00
	131	0	01	42
	135 (366)	0	04	89
	136 (367)	0	04	83
	141 (58)	0	05	31
	187 (430)	0	01	12
	185 (56)	0	01	32
शोरली	42 (42)	0	01	74
	199 (435)	0	11	00
	151	0	03	00
	152	0	02	40
	155 (199)	0	01	72
	156 (200)	0	06	55
	134	0	02	56
	132 (178)	0	06	20
	124	0	03	35
	122	0	03	00
जिला : ठाणे				
तहसील : शाहापुर				
फुगाळे	31/3	0	24	83
	31/4	0	55	00
	35/23	0	41	44
	35/24	0	13	00
	35/21	0	37	60
	35/27	0	27	50
	30	0	02	50
	35/26	0	08	40
	35/3	0	40	00
	35/37	0	69	00
	15	0	07	31
	19	0	02	50
	35/56	0	37	60

1	2.	3	4	5
	35/28	0	08	40
	28/6	0	13	00
	35/38	1	08	00
	35/50	0	61	75
वाशाले बुक्षुक	285	0	43	00
	336	0	16	33
	338/P	0	02	30
	373	0	19	50
	381	0	10	80
	382	0	14	30
	385	0	23	60
	387	0	07	85
	435	0	01	00
	436	0	01	50
	449	0	08	25
वाशाले खुर्द	70	0	02	20
	71	0	43	23
	2/2	0	05	40
	2/3	0	17	65
	2/4	0	01	62
	4/1	0	17	34
	6	0	47	17
	8/1	0	20	13
	8/2	0	11	37
	11/1	0	10	62
	11/2	0	05	33
	12/3	0	13	01
	13	0	29	05
	14	0	08	60
	16/P	0	30	19
	19/1	0	18	62
	19/2	0	10	07
	39	0	05	40
सुसरवादी	73	0	16	50
बेलुक	217	0	22	12
	184	0	07	48
	34/2	0	07	18
	24/9	0	48	76

1	2	3	4	5
	24/10	0	01	26
	22/2	0	02	10
	22/4	0	19	74
	22/5	0	02	10
	21/5	0	15	18
	21/6	0	03	25
	48/5	0	01	84
	48/4	0	01	88
	48/3	0	04	88
	48/2	0	01	00
	48/1	0	06	00
	3/11	0	01	00
	3/10	0	07	40
	3/9	0	02	12
	3/8	0	02	72
	3/7	0	04	20
	3/6	0	06	10
	3/5	0	02	80
	2/5/3	0	01	08
	1/10	0	09	47
	1/7	0	34	69
	1/6	0	14	25
	1/5	0	02	25
	168/9	0	01	67
	168/8	0	01	75
	168/7	0	04	48
	168/6	0	02	35
	168/2	0	01	00
	169/4	0	04	75
	164/5	0	02	10
	164/4	0	01	47
	164/3	0	18	27
	163/2	0	18	24
	163/3	0	26	25
	127/3	0	68	47
	129	0	17	34
	128/1	0	13	22
	128/2	0	08	40
	128/3	0	01	92
	118/5	0	26	40

1	2	3	4	5
	108/2	0	15	43
	108/3	0	14	00
	108/4	0	15	75
	108/5/1	0	03	71
	110	0	10	41
	109/2	0	27	48
	109/3	0	02	52
जरूरी	79	0	09	00
	71	0	15	00
	83	0	02	00
	50	0	10	00
	36	0	02	00
	13	1	02	00
	72	0	03	00
	70	0	06	00
	52	0	15	00
	53	0	16	00
धारनी	336	0	13	00
	270	0	71	00
	275	0	03	00
	329/2	0	01	92
	329/3	0	01	45
	329/4	0	01	56
	329/5	0	00	77
	329/6	0	00	70
	329/39	0	00	60
	329/133	0	01	17
	329/53	0	03	43
	329/54	0	02	28
	329/55	0	01	30
	329/56	0	02	52
	329/P	0	31	41
दलखन	164	0	06	00
	181	0	14	00
	166	0	08	00
	177	0	09	00
	125	0	08	50
	121	0	02	00

1	2	3	4	5
	5	0	07	00
	28	0	02	00
	69	0	20	00
	183	0	05	00
	117	0	05	50
	47	0	01	00
	68	0	17	00
खर्ची	83/3	0	13	50
	83/2	0	11	50
चांदे	116 A	0	00	32
	62	0	27	00
	40 A	0	51	00
	63	0	03	00
रातांधसे	67/1	0	00	39
	8	0	26	40
	68	0	09	24
	14/1/P	0	03	10
	14/2	0	04	08
	15/1	0	09	20
	15/3	0	06	30
	17/P	0	09	00
	63/1	0	48	00
	43/2	0	15	00
	41	0	03	94
	64/5	0	15	00
	64/5	0	15	00
	64/7	0	06	89
	64/6	0	38	30
लाहे	173	0	24	32
	174/P	0	07	59
	176	0	00	37
	179	0	02	37
	178	0	03	85
	223/A	0	36	30
	222	0	02	89
	261	0	11	25
	264	0	03	63

1	2	3	4	5
	251	0	15	00
	246	0	54	00
	115	0	12	35
	117	0	04	92
	116	0	09	30
	122	0	05	55
	119	0	36	50
	124	0	17	89
	125	0	26	47
	22/P	0	20	80
	22/P	0	17	40
	14/P	0	13	50
	7	0	00	19
	4	0	02	55
कलम्बगांव	277	0	18	75
	275	0	08	31
	298	0	29	60
	296	0	14	91
	292	0	01	19
	340	0	01	40
	338	0	00	50
	350	0	38	29
	351	0	03	24
कानविंदे	99	0	24	75
	139	0	02	97
साखरोली	145/A	0	03	35
	144	0	13	82
	153	0	00	42
	156	0	07	61
आटगांव	213/1	0	09	00
	213/2	0	02	25
	214/1	0	02	78
	214/3	0	09	76
	214/4	0	05	56
	20/2	0	01	12
	230	0	00	15
	190	0	01	40

1	2	3	4	5
	215/1/2	0	03	40
	215/2	0	04	80
	283	0	05	60
	73/1	0	02	20
	73/3	0	01	36
	282	0	05	60
	191/2	0	06	61
	191/5	0	05	50
	71/A	0	01	20
	219/2/2B	0	03	81
	219/3	0	08	10
	219/4	0	04	90
	219/5	0	04	44
	76/2	0	01	95
	219/6	0	08	66
पुणे	83/3A	0	16	00
	83/2	0	24	00
	83/1	0	04	00
	84/1	0	06	00
	84/3	0	01	75
	84/4	0	03	46
	85/8	0	01	90
	85/6/1	0	03	50
	86/9/P	0	15	86
	86/1/P	0	15	84
चेरपोला	363/P	0	13	57
	384/P	0	05	80
	331/P	0	22	14
	328	0	03	62
	327/P	0	01	57
	322	0	00	75
	313	0	12	00
शहापूर	97/2	0	01	02
	77/2	0	00	75
	154/1	0	00	55
	54	0	02	83
	142/1	0	01	60
	127/7	0	04	00

1	2	3	4	5
	127/4	0	04	15
	37	0	01	34
सावरोसी बुद्धक	81	0	25	89
	83	0	03	12
	98/A	0	25	49
	99	0	18	05
	94	0	01	00
	110	0	04	66
	119	0	14	48
आसनगाँव	64	0	09	90
	59/3P	0	18	00
	56/2	0	04	20
	54/2/3P	0	02	43
	54/2/2	0	27	45
	45/2P	0	07	65
	45/1	0	00	30
	40/2	0	04	00
	40/1	0	06	75
	38/2	0	03	86
	38/1	0	11	64
	37/7	0	15	22
	37/A/7/P	0	13	40
	37/A/7/P	0	12	81
	35/4	0	02	61
	36	0	05	50
	33/P	0	12	35
	33/P	0	08	90
	163/A2/P	0	05	10
	163/6P	0	19	35
	164/5	0	08	48
	10/A1/P	0	15	00
	10/A1/P	0	28	60
	165/A2	0	11	48
	165/A1	0	10	63
	71	0	01	75
	165/B	0	07	00
खातियली	240 Plot.no.1 & 2	0	15	00
	232	0	10	50

1	2	3	4	5
	227 Plot.no.6	0	11	13
	194	0	15	00
	196/A	0	01	54
	197	0	02	20
	204	0	00	70
	206	0	01	36
	129	0	03	89
	185	0	00	42
	115	0	07	59
	118	0	07	92
	103/P	0	05	81
	103/P	0	19	50
	103/P	0	16	97
	96	0	03	89
वारिंद	52/2B P	0	00	90
	51/2B P	0	03	90
	51/3	0	17	10
	54/1 P	0	10	26
	46/9	0	04	50
	209/1/1	0	14	75
	209/10	0	12	84
	205/P	0	03	45
	205/P	0	03	45
	209/7/P	0	26	64
	204/3	0	03	08
	202/P	0	05	44
	202/P	0	10	95
	202/P	0	08	68
	193	0	11	51
	4/3 P	0	02	08
	4/3 P	0	02	00
सारमाल	276	0	06	25
	277/B	0	40	68
	280/A	0	79	51
	283	0	06	63
	266/C	0	10	60
	265	0	07	00

1	2	3	4	5
जिला : ठाणे				
सहस्रील : बिंदडी				
कासने	15/1 15/2 16/2 16/3 17/1 40/1 42/P 42/P	0 0 0 0 0 0 0 0	00 14 01 01 21 00 40 18	50 00 75 75 33 48 30 75
कांदली	25/2 24/4 24/3/A 24/3/B 15/1/1 13/2 13/1 16/4/1 16/7P 12/1 16/10/P 16/10/P 16/10/P	0 0 0 0 0 0 0 0 0 0 0 0	08 01 26 14 07 01 08 07 08 01 29 12 48	70 25 00 75 25 00 23 13 70 00 30 56 18
कोशिंदी	50/1 50/2 53/9 52/11 60/8 60/7 72/1 73 P	0 0 0 0 0 0 0 0	02 11 07 19 02 11 09 28	00 00 50 88 25 00 00 00
झोहाल	104 103/1 103/2 103/4	0 0 0 0	12 12 08 08	00 35 15 15

1	2	3	4	5
	103/5	0	08	15
	103/6	0	04	00
	103/7	0	08	15
	103/8	0	08	15
	103/9	0	08	15
	103/10	0	08	15
	123/2	0	07	62
	123/3A	0	07	63
	123/4	0	07	62
	123/5	0	07	63
	56/6A	0	37	13
	56/9	0	19	86
	56/7	0	28	62
	56/5	0	16	17
	55/1,2	0	11	25
	57/6	0	18	00
	57/5	0	01	03
	57/2	0	09	00
	52/3 TO 7	0	23	00
	51/P	0	10	00
	49/6	0	12	00
	51/P	0	11	.46
आन्हे	59/1	0	01	89
	2A/6	0	35	00
	2A/4	0	17	00
	2A/1	0	20	00
	2A/7	0	47	00
	66	0	23	00
पळघे	102	0	11	00
आवाणे	172/1P	0	30	00
	173/P	0	17	15
	197/4	0	11	00
	203/8	0	05	03
	116/1 P	0	11	85
	252/P	0	61	60
	115/1P	0	12	50
	115/P	0	01	00
	114/5 P	0	13	20

1	2	3	4	5
	109/1	0	04	00
	20	0	50	23
	75/1	0	58	69
याशारे	57/1	0	07	95
	57/17	0	17	84
	58/P	0	19	05
	54/2/P	0	01	96
	48/1/P	0	04	68
	48/1/P	0	02	64
	48/1/P	0	19	50
	48/7	0	07	16
	40/P	0	14	16
	40/14/P	0	03	23
	40/P	0	10	33
	40/P	0	12	60
	40/P	0	01	14
	38/P	0	03	72
	38/P	0	02	60
	38/P	0	22	62
	37/13	0	26	38
	15/15P	0	03	85
	15/15P	0	19	10
	15/15P	0	02	76
	15/15P	0	00	90
	15/15P	0	00	50
	13/P	0	13	50
	15/14/P	0	01	25
	15/15/P	0	02	00
	16/P	0	04	55
आमने	257/2	0	15	52
	257/P	0	00	63
	28/4	0	06	08
	29/2B	0	07	68
	29/2A	0	03	49
	29/P	0	12	75
	29/1	0	14	44
	43/2 P	0	04	16
	43/P	0	26	50
	42/17	0	01	81

1	2	3	4	5
	42/18	0	05	35
	42/16	0	11	97
	42/1	0	06	35
	40/P	0	04	96
उत्तराली	40 P	0	01	43
	40 P	0	05	16
	40 P	0	01	62
	41 P	0	01	02
	41 P	0	07	26
	41 P	0	04	60
	41 P	0	12	90
	39/P	0	11	20
	39/1	0	01	38
	34/8/1 P	0	07	00
	34/3 P	0	05	75
	33 P	0	08	02
	35	0	02	48
	37/1/2	0	08	97
	37/4P	0	04	22
	25/12/1P	0	03	82
	61/P	0	32	00
	21/1P	0	02	40
खांडियल	6/1 P	0	07	28
	6/ P	0	13	00
	5/1/2/	0	06	02
	9/1	0	01	59
	10/2/1	0	01	05
	10/P	0	03	80
	11/3 P	0	02	78
	12/12	0	01	28
	12/3,5,11	0	00	45
	12/8 P	0	01	31
	13/3/1	0	12	72
	12/1 P	0	00	90
	19/P	0	02	85
	15/2A & 2C	0	10	08
	10/1	0	07	60
	11/2 A	0	11	40
	12	0	06	46
	15/1A/1	0	07	01

1	2	3	4	5
	7/1/1	0	04	96
लोनाड	45/3	0	09	00
	45/8 P	0	09	45
	45/11 P	0	05	86
	45/11 P	0	26	07
	33/P	0	15	31
	33/3/3	0	03	22
	33/1/P	0	00	65
	28/20	0	01	26
	29/7	0	01	74
	29/6	0	16	95
	29/4	0	00	90
	29/5	0	02	64
	30	0	02	94
	1/2 P	0	32	89
	1/4 P	0	29	88
	18/3 P	0	22	56
	10/2	0	40	20
	11/1 P	0	15	00
जानवल	34/P	0	01	80
	33/P	0	02	22
	33/P	0	09	79
	26/P	0	01	10
	26/P	0	05	98
	21/P	0	10	71
	24/P	0	06	82
	21/1 P	0	42	60
	23/P	0	07	83
	23/P	0	04	18
शिव नगर (लोनाड)	105/6 P	0	01	95
	105/6 P	0	01	60
	105/6 P	0	09	31
	105/6 P	0	05	20
	105/11 P	0	00	86
	105/11 P	0	06	65
	105/11 P	0	01	11

1	2	3	4	5
	105/11 P	0	02	22
	105/11 P	0	05	13
	105/11 P	0	06	37
	105/11 P	0	02	74
	105/11 P	0	10	25
	105/11 P	0	05	52
	105/11 P	0	00	35
	104/12 P	0	11	42
	104/12 P	0	06	30
	104/12 P	0	05	95
	107/1	0	06	70
	107/1	0	72	00
	107/1	0	00	42
	53/8	0	02	17
	53/7	0	11	09
	110/1	0	30	62
	110/3	0	01	91
	111/2	0	04	70
	51/5	0	02	60
	52/2	0	00	42
	52/2	0	19	62
एलकुंदे	66 A	0	54	40
	23/1	0	01	25
	54/8	0	07	30
	53/1	0	01	18
	53/2	0	01	25
	53/3	0	00	65
	53/4	0	01	05
	54/7/1	0	01	18
	54/7/2	0	00	50
	60/1	0	00	20
	60/2	0	00	50

(फाइल संख्या आर -31015/ 1 /98 ओ आर - II)
के सी फटोच, अवर सचिव,

Government of India
Ministry of Petroleum and Natural Gas

New Delhi, the 29th April, 1998

S.O. 895.— Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Refinery of Bharat Petroleum Corporation Limited, Mahul, Mumbai to Manmad in the State of Maharashtra, pipelines should be laid by the Bharat Petroleum Corporation Limited ;

And, whereas for the purpose of laying such pipeline it is necessary to acquire the Right of User in land described in the Schedule annexed to this notification ;

Now, therefore in exercise of the powers conferred by sub-section (I) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein ;

Any person interested in the land described in the said schedule may within 21 days from date on which the copies of the notification published in the Gazette of India are made available to the general public to object in writing to the acquisition of right of user therein for laying of the pipeline under the land to Shri T.K. Bagul, competent authority, Mumbai Manmad Pipeline Project, Bharat Petroleum Corporation Limited, 9-13, Vasant Market, Canada Corner, Nasik- 422002 (Maharashtra).

SCHEDULE

District : Nasik**Tahsil : Igatpuri.****State : Maharashtra.**

Name of Village	Survey/Gat Numbers	Hectors	Ares	Sq.Mts
		1	2	3
PIMPALGAON	3	0	09	00
GHADGA	5	0	06	00
	11	0	07	00
	12	0	02	00
	17	0	09	00
	18	0	03	00
	28	0	06	00
	29	0	12	00
	31	0	01	50
	105/B	0	19	00
	105/C	0	06	32
	106/A	0	16	35
	106/B	0	24	00
	140	0	03	00
	141	0	16	00
	143	0	04	00
	149	0	02	00
	151	0	06	65
	168/B	0	85	00
	167	0	16	00
PIMPALGAON	27	0	07	00
DUKARA	28	0	01	20
	31	0	11	00
	32	0	04	00
	39	0	19	00
	151/A	0	06	00
	153	0	19	00
	154	0	18	00
	155	0	20	00
	175	0	29	00
	176	0	09	00
	216/B	0	44	00
	218	0	20	00
	219	0	13	00
	230	0	08	00
	232	0	03	00

1	2	3	4	5
	238	0	06	00
	23	0	03	00
	249	0	02	00
KAWADDARA	88	0	03	00
	157	0	04	00
	159/B	0	06	00
	165	0	01	00
BHARVIR KHURD	542	0	04	00
	549	0	25	00
	622	0	04	00
	621	0	03	00
	626	0	09	00
	520	0	19	00
	519	0	06	00
	521	0	15	00
	522	0	56	00
	463	0	12	00
	677	0	09	48
	684	0	02	00
DHAMANGAON	413 (1323)	0	03	45
	409 (419)	0	02	37
	328 (333)	0	03	91
	327 (335)	0	03	00
	414 (313)	0	05	00
	298	0	03	00
	310	0	02	50
	305	0	01	00
	245	0	01	50
	253	0	18	82
	252	0	25	00
	155	0	03	20
	156	0	07	50
	157	0	06	00
	103/A	0	13	50
	103/B	0	13	50
	80	0	15	00
	87	0	30	00
	135	0	21	00

1	2	3	4	5
	73	0	02	00
	137	0	08	00
	94	0	31	40
	169	0	34	00
	83	0	06	00
	81	0	17	00
	799	0	51	50
	161	0	12	00
	162	0	22	50
	318	0	35	00
	78	0	01	00
	322	0	01	75
	145	0	02	86
	95	0	01	28
	798	0	20	30
	249	0	04	80
	239	0	33	00
	151	0	04	00
	165	0	05	00
	166	0	05	00
GANBHIRWADI (DHAMANGAON)	57 (770)	0	01	68
	56 (769)	0	09	40
	54 (766)	0	04	00
	152 (830)	0	01	80
	149 (837)	0	06	50
	148 (834)	0	07	00
	158 (465)	0	02	75
	160 (463)	0	28	60
	39 (751)	0	09	52
	42 (754)	0	14	00
	43 (755)	0	14	30
	129 (838)	0	02	00
	159 (464)	0	01	00
	62 (775)	0	03	36
	26 (739)	0	17	28
	55 (767)	0	03	53
BELGAON TARHALE	251	0	05	00
	194	0	00	88
	196	0	03	15

1	2	3	4	5
	197	0	04	60
	200	0	00	60
	161	0	04	00
	158	0	04	10
	156/1	0	17	00
	121	0	08	43
	120	0	03	00
	119	0	01	00
	106	0	16	35
	410	0	02	90
	408	0	11	32
	491	0	02	11
	493	0	14	16
	501	0	20	00
	482	0	01	27
	709	0	06	41
	660	0	19	95
	690	0	08	00
	661	0	24	39
	672	0	12	00
	675	0	08	15
	676	0	14	80
	677	0	08	40
	155	0	04	83
DHAMNI	22	0	44	00
	21	0	23	00
	37	0	02	00
	42	0	07	00
	359	0	02	00
	357	0	21	30
	377	0	26	50
	175	0	18	00
	358	0	32	40
PIMPALGAON MOR	69	0	09	00
	70	0	15	00
	75	0	62	30
	73	0	04	50
	74	0	23	00
	28	0	14	00
	307	0	32	50

1	2	3	4	5
	331	0	16	50
	333	0	05	00
	337	0	01	00
	330	0	05	00
	359	0	01	50
	360	0	04	50
	363	0	01	00
	364	0	01	00
	374	0	02	00
	459	0	12	00
	381	0	07	00
	382	0	01	50
	431	0	20	00
	419	0	01	00
	430	0	14	00
	422	0	09	00
	423	0	19	00
	425	0	08	00
	412/2	0	03	00
UBHADE	141	0	41	24
	175	0	14	20
	171/2	0	10	31
	169	0	14	56
DEWALE	461	0	02	15
	471	0	03	17
	328	0	07	97
	323	0	02	32
	274	0	23	17
	263	0	11	30
	281	0	06	48
	256	0	10	20
	257	0	22	50
	252	0	06	16
	253	0	24	02
	468	0	18	06
	469	0	05	76
	228	0	26	34
	472	0	11	87
	309	0	16	20

1	2	3	4	5
	440/2	0	08	40
	307	0	15	90
	330	0	01	00
	327	0	06	08
	226	0	35	80
	255	0	09	75
	262	0	48	59
	308	0	15	00
	337	0	11	10
	325	0	03	50
	324	0	04	25
	473	0	01	00
	225	0	03	00
	224	0	00	80
	472	0	10	50
KHAIRGAON	602	0	01	20
	600	0	02	70
	595	0	16	20
	593	0	16	51
	592	0	06	24
	591	0	03	00
	590	0	01	00
	574	0	15	00
	573	0	05	16
	579	0	14	40
	576	0	06	65
	578	0	06	00
SHENWAD BUDRUK	765	0	02	13
	735	0	05	60
	738	0	10	92
	741	0	01	00
	742	0	06	30
	740	0	21	30
	727	0	29	00
	725	0	29	45
KANCHANGAON	236 (418)	0	11	00

1	2	3	4	5
AVCHITWADI (KANCHANGAON)	74 (282)	0	16	79
	61 (267)	0	30	00
	176 (294)	0	05	00
	174 (311/2)	0	23	25
	173 (312)	0	02	50
	123 (390)	0	15	70
	124 (389)	0	01	30
	125 (387)	0	16	50
	127 (370)	0	02	00
	140 (373)	0	09	00
	153 (334)	0	06	00
	171 (332)	0	10	01
	172 (331)	0	09	30
	169 (333)	0	01	00
	80 (291)	0	07	25
TALOSHI	137/B	0	03	60
	148	0	01	50
	149	0	00	71
	150	0	09	81
	169	0	00	66
	610	0	01	00
	609	0	00	84
	607	0	01	20
	604	0	01	15
	603	0	02	70
	601	0	01	30
	631/A	0	01	75
	576	0	08	12
	570	0	23	00
	567	0	00	75
	563	0	02	00
	555	0	14	75
	556	0	01	15
	553	0	01	55
	552	0	02	50
	550	0	01	94
	549	0	08	88
	460	0	04	75
	459	0	03	15

1	2	3	4	5
	457/A	0	01	00
	457/B	0	00	50
	447	0	02	11
	449	0	00	50
	448	0	04	43
	444	0	02	25
	443	0	04	14
	439	0	00	50
	566	0	10	00
TALOGH	923	0	01	00
	922	0	05	85
	917	0	03	15
	913	0	03	23
	912	0	04	72
	907	0	04	00
	893	0	01	32
	894	0	01	90
	892	0	03	75
	828	0	06	36
	827	0	11	82
	832	0	02	88
	849	0	00	70
	854	0	03	25
	729	0	00	50
	792	0	07	50
PIMPRI	166	0	01	00
SADRODDIN	168	0	10	00
	171	0	12	00
	178	0	03	50
	176	0	01	85
	188	0	02	40
	196	0	12	00
	57	0	10	50
	210	0	02	65
	209	0	01	65
	229	0	00	75
	233	0	06	83

1	2	3	4	5
	256	0	03	23
	266	0	04	38
	265	0	05	88
	270	0	01	24
	271	0	01	45
	272	0	03	35
	273	0	11	10
	296	0	05	75
	333	0	04	80
	636	0	02	79
	629	0	07	50
	618	0	04	23
	617	0	31	42
	571	0	03	44
	547	0	11	75
	546	0	01	60
	167	0	05	00
	56	0	16	29
	515	0	11	25
WAGHYACHIWADI (BORLI)	104	0	01	17
	107	0	01	10
	115 (346)	0	07	56
	122 (353)	0	14	32
	123 (354)	0	01	62
	124 (355)	0	06	00
	131	0	01	42
	135 (366)	0	04	89
	136 (367)	0	04	83
	141 (58)	0	05	31
	187 (430)	0	01	12
	185 (56)	0	01	32
BORLI	42 (42)	0	01	74
	199 (435)	0	11	00
	151	0	03	00
	152	0	02	40
	155 (199)	0	01	72
	156 (200)	0	06	55
	134	0	02	56
	132 (178)	0	06	20
	124	0	03	35

1	2	3	4	5
	122	0	03	00
DISTRICT : THANE				
TAHSIL : SHAHAPUR				
FUGALE	31/3	0	24	83
	31/4	0	55	00
	35/23	0	41	.44
	35/24	0	13	00
	35/21	0	37	60
	35/27	0	27	50
	30	0	02	50
	35/26	0	08	40
	35/3	0	40	00
	35/37	0	69	00
	15	0	07	31
	19	0	02	50
	35/56	0	37	60
	35/28	0	08	40
	28/6	0	13	00
	35/38	1	08	00
	35/50	0	61	75
WASHALE BUDRUK	285	0	43	00
	336	0	16	33
	338/P	0	02	30
	373	0	19	.50
	381	0	10	80
	382	0	14	30
	385	0	23	60
	387	0	07	85
	435	0	01	00
	436	0	01	50
	449	0	08	25
WASHALE KHURD	70	0	02	20
	71	0	43	23
	2/2	0	05	40
	2/3	0	17	65
	2/4	0	01	62
	4/1	0	17	34
	6	0	47	17
	8/1	0	20	13

1	2	3	4	5
	8/2	0	11	37
	11/1	0	10	62
	11/2	0	05	33
	12/3	0	13	01
	13	0	29	05
	14	0	08	60
	16/P	0	30	19
	19/1	0	18	62
	19/2	0	10	07
	39	0	05	40
SUSARWADI	73	0	16	50
VELUK	217	0	22	12
	184	0	07	48
	34/2	0	07	18
	24/9	0	48	76
	24/10	0	01	26
	22/2	0	02	10
	22/4	0	19	74
	22/5	0	02	10
	21/5	0	15	18
	21/6	0	03	25
	48/5	0	01	84
	48/4	0	01	88
	48/3	0	04	88
	48/2	0	01	00
	48/1	0	06	00
	3/11	0	01	00
	3/10	0	07	40
	3/9	0	02	12
	3/8	0	02	72
	3/7	0	04	20
	3/6	0	06	10
	3/5	0	02	80
	2/5/3	0	01	08
	1/10	0	09	47

1	2	3	4	5
	1/7	0	34	69
	1/6	0	14	25
	1/5	0	02	25
	168/9	0	01	67
	168/8	0	01	75
	168/7	0	04	48
	168/6	0	02	35
	168/2	0	01	00
	169/4	0	04	75
	164/5	0	02	10
	164/4	0	01	47
	164/3	0	18	27
	163/2	0	18	24
	163/3	0	26	25
	127/3	0	68	47
	129	0	17	34
	128/1	0	13	22
	128/2	0	08	40
	128/3	0	01	92
	118/5	0	26	40
	108/2	0	15	43
	108/3	0	14	00
	108/4	0	15	75
	108/5/1	0	03	71
	110	0	10	41
	109/2	0	27	48
	109/3	0	02	52
JARANDI				
	79	0	09	00
	71	0	15	00
	83	0	02	00
	50	0	10	00
	36	0	02	00
	13	1	02	00
	72	0	03	00
	70	0	06	00
	52	0	15	00
	53	0	16	00

1	2	3	4	5
DHAMNI				
	336	0	13	00
	270	0	71	00
	275	0	03	00
	329/2	0	01	92
	329/3	0	01	45
	329/4	0	01	56
	329/5	0	00	77
	329/6	0	00	70
	329/39	0	00	60
	329/133	0	01	17
	329/53	0	03	43
	329/54	0	02	28
	329/55	0	01	30
	329/56	0	02	52
	329/P	0	31	41
DALKHAN				
	164	0	06	00
	181	0	14	00
	166	0	08	00
	177	0	09	00
	125	0	08	50
	121	0	02	00
	5	0	07	00
	28	0	02	00
	69	0	20	00
	183	0	05	00
	117	0	05	50
	47	0	01	00
	68	0	17	00
KHARDI				
	83/3	0	13	50
	83/2	0	11	50
CHANDE				
	116 A	0	00	32
	62	0	27	00
	40 A	0	51	00
	63	0	03	00
RATANDHALE				
	67/1	0	00	39
	8	0	26	40
	68	0	09	24

1	2	3	4	5
	14/1/P	0	03	10
	14/2	0	04	08
	15/1	0	09	20
	15/3	0	06	30
	17/P	0	09	00
	63/1	0	48	00
	43/2	0	15	00
	41	0	03	94
	64/5	0	15	00
	64/5	0	15	00
	64/7	0	06	89
	64/6	0	38	30
LAHE	173	0	24	32
	174/P	0	07	59
	176	0	00	37
	179	0	02	37
	178	0	03	85
	223/A	0	36	30
	222	0	02	89
	261	0	11	25
	264	0	03	63
	251	0	15	00
	246	0	54	00
	115	0	12	35
	117	0	04	92
	116	0	09	30
	122	0	05	55
	119	0	36	50
	124	0	17	89
	125	0	26	47
	22/P	0	20	80
	22/P	0	17	40
	14/P	0	13	50
	7	0	00	19
	4	0	02	55

1	2	3	4	5
KALAMGAON	277	0	18	75
	275	0	08	31
	298	0	29	60
	296	0	14	91
	292	0	01	19
	340	0	01	40
	338	0	00	50
	350	0	38	29
	351	0	03	24
KANVINDE	99	0	24	75
	139	0	02	97
SAKHAROLI	145/A	0	03	35
	144	0	13	82
	153	0	00	42
	156	0	07	61
ATGAON	213/1	0	09	00
	213/2	0	02	25
	214/1	0	02	78
	214/3	0	09	76
	214/4	0	05	56
	20/2	0	01	12
	230	0	00	15
	190	0	01	40
	215/1/2	0	03	40
	215/2	0	04	80
	283	0	05	60
	73/1	0	02	20
	73/3	0	01	36
	282	0	05	60
	191/2	0	06	61
	191/5	0	05	50
	71/A	0	01	20
	219/2/2B	0	03	81
	219/3	0	08	10
	219/4	0	04	90
	219/5	0	04	44
	76/2	0	01	95
	219/6	0	08	66

1	2	3	4	5
PUNANDHE	83/3A	0	16	00
	83/2	0	24	00
	83/1	0	04	00
	84/1	0	06	00
	84/3	0	01	75
	84/4	0	03	46
	85/8	0	01	90
	85/6/1	0	03	50
	86/9/P	0	15	86
	86/1/P	0	15	84
CHERPOLI	363/P	0	13	57
	384/P	0	05	80
	331/P	0	22	14
	328	0	03	62
	327/P	0	01	57
	322	0	00	75
	313	0	12	00
SHAHAPUR	97/2	0	01	02
	77/2	0	00	75
	154/1	0	00	55
	54	0	02	83
	142/1	0	01	60
	127/7	0	04	00
	127/4	0	04	15
	37	0	01	34
SAWROLI BUDRUK	81	0	25	89
	83	0	03	12
	98/A	0	25	49
	99	0	18	05
	94	0	01	00
	110	0	04	66
	119	0	14	48
ASANGAON	64	0	09	90
	59/3P	0	18	00
	56/2	0	04	20
	54/2/3P	0	02	43
	54/2/2	0	27	45
	45/2P	0	07	65

1	2	3	4	5
	45/1	0	00	30
	40/2	0	04	00
	40/1	0	06	75
	38/2	0	03	86
	38/1	0	11	64
	37/7	0	15	22
	37/A/7/P	0	13	40
	37/A/7/P	0	12	81
	35/4	0	02	61
	36	0	05	50
	33/P	0	12	35
	33/P	0	08	90
	163/A2/P	0	05	10
	163/6P	0	19	35
	164/5	0	08	48
	10/A1/P	0	15	00
	10/A1/P	0	28	60
	165/A2	0	11	48
	165/A1	0	10	63
	71	0	01	75
	165/B	0	07	00
KHATEVALI	240 Plot.no.1 & 2	0	15	00
	232	0	10	50
	227 Plot.no.6	0	11	13
	194	0	15	00
	196/A	0	01	54
	197	0	02	20
	204	0	00	70
	206	0	01	36
	129	0	03	89
	185	0	00	42
	115	0	07	59
	118	0	07	92
	103/P	0	05	81
	103/P	0	19	50
	103/P	0	16	97
	96	0	03	89

1	2	3	4	5
VASHIND				
52/2B P	0	00	90	
51/2B P	0	03	90	
51/3	0	17	10	
54/1 P	0	10	26	
46/9	0	04	50	
209/1/1	0	14	75	
209/10	0	12	84	
205/P	0	03	45	
205/P	0	03	45	
209/7/P	0	26	64	
204/3	0	03	08	
202/P	0	05	44	
202/P	0	10	95	
202/P	0	08	68	
193	0	11	51	
4/3 P	0	02	08	
4/3 P	0	02	00	
SARMAL				
276	0	06	25	
277/B	0	40	68	
280/A	0	79	51	
283	0	06	63	
266/C	0	10	60	
265	0	07	00	
DISTRICT : THANE				
TAHSIL : BHIVANDI				
KASANE				
15/1	0	00	50	
15/2	0	14	00	
16/2	0	01	75	
16/3	0	01	75	
17/1	0	21	33	
40/1	0	00	48	
42/P	0	40	30	
42/P	0	18	75	
KANDALI				
25/2	0	08	70	
24/4	0	01	25	
24/3/A	0	26	00	

1	2	3	4	5
	24/3/B	0	14	75
	15/1/1	0	07	25
	13/2	0	01	00
	13/1	0	08	23
	16/4/1	0	07	13
	16/7P	0	08	70
	12/1	0	01	00
	16/10/P	0	29	30
	16/10/P	0	12	56
	16/10/P	0	48	18
KOSHIMBI	50/1	0	02	00
	50/2	0	11	00
	53/9	0	07	50
	52/11	0	19	88
	60/8	0	02	25
	60/7	0	11	00
	72/1	0	09	00
	73 P	0	28	00
DOHALE	104	0	12	00
	103/1	0	12	35
	103/2	0	08	15
	103/4	0	08	15
	103/5	0	08	15
	103/6	0	04	00
	103/7	0	08	15
	103/8	0	08	15
	103/9	0	08	15
	103/10	0	08	15
	123/2	0	07	62
	123/3A	0	07	63
	123/4	0	07	62
	123/5	0	07	63
	56/6A	0	37	13
	56/9	0	19	86
	56/7	0	28	62
	56/5	0	16	17
	55/1.2	0	11	25
	57/6	0	18	00
	57/5	0	01	03
	57/2	0	09	00

1	2	3	4	5
ANHE	52/3 TO 7	0	23	00
	51/P	0	10	00
	49/6	0	12	00
	51/P	0	11	46
	59/1	0	01	89
	2A/6	0	35	00
	2A/4	0	17	00
	2A/1	0	20	00
	2A/7	0	47	00
	66	0	23	00
PADGHE	102	0	11	00
BHADANE	172/1P	0	30	00
	173/P	0	17	15
	197/4	0	11	00
	203/8	0	05	03
	116/1 P	0	11	85
	252/P	0	61	60
	115/1P	0	12	50
	115/P	0	01	00
	114/5 P	0	13	20
	109/1	0	04	00
	20	0	50	23
	75/1	0	58	69
WASHERE	57/1	0	07	95
	57/17	0	17	84
	58/P	0	19	05
	54/2/P	0	01	96
	48/1/P	0	04	68
	48/1/P	0	02	64
	48/1/P	0	19	50
	48/7	0	07	16
	40/P	0	14	16
	40/14/P	0	03	23
	40/P	0	10	33
	40/P	0	12	60
	40/P	0	01	14
	38/P	0	03	72
	38/P	0	02	60
	38/P	0	22	62

1	2	3	4	5
	37/13	0	26	38
	15/15P	0	03	85
	15/15P	0	19	10
	15/15P	0	02	76
	15/15P	0	00	90
	15/15P	0	00	50
	13/P	0	13	50
	15/14/P	0	01	25
	15/15/P	0	02	00
	16/P	0	04	55
AMNE	257/2	0	15	52
	257/P	0	00	63
	28/4	0	06	08
	29/2B	0	07	68
	29/2A	0	03	49
	29/P	0	12	75
	29/1	0	14	44
	43/2 P	0	04	16
	43/P	0	26	50
	42/17	0	01	81
	42/18	0	05	35
	42/16	0	11	97
	42/1	0	06	35
	40/P	0	04	96
USROLI	40 P	0	01	43
	40 P	0	05	16
	40 P	0	01	62
	41 P	0	01	02
	41 P	0	07	26
	41 P	0	04	60
	41 P	0	12	90
	39/P	0	11	20
	39/1	0	01	38
	34/8/1 P	0	07	00
	34/3 P	0	05	75
	33 P	0	08	02
	35	0	02	48
	37/1/2	0	08	97
	37/4P	0	04	22
	25/12/1P	0	03	82

1	2	3	4	5
KHANDWAL	.61/P	0	32	00
	21/1P	0	02	40
	6/1 P	0	07	28
	6/ P	0	13	00
	5/1/2/	0	06	02
	9/1	0	01	59
	10/2/1	0	01	05
	10/P	0	03	80
	11/3 P	0	02	78
	12/12	0	01	28
	12/3,5,11	0	00	45
	12/8 P	0	01	31
	13/3/1	0	12	72
	12/1 P	0	00	90
	19/P	0	02	85
	15/2A & 2C	0	10	08
	10/1	0	07	60
	11/2 A	0	11	40
	12	0	06	46
	15/1A/1	0	07	01
	7/1/1	0	04	96
LONAD	45/3	0	09	00
	45/8 P	0	09	45
	45/11 P	0	05	86
	45/11 P	0	26	07
	33/P	0	15	31
	33/3/3	0	03	22
	33/1/P	0	00	65
	28/20	0	01	26
	29/7	0	01	74
	29/6	0	16	95
	29/4	0	00	90
	29/5	0	02	64
	30	0	02	94
	1/2 P	0	32	89
	1/4 P	0	29	88
	18/3 P	0	22	56
	10/2	0	40	20
	11/1 P	0	15	00

1	2	3	4	5
JANVAL				
	34/P	0	01	80
	33/P	0	02	22
	33/P	0	09	79
	26/P	0	01	10
	26/P.	0	05	98
	21/P	0	10	71
	24/P	0	06	82
	21/1 P	0	42	60
	23/P	0	07	83
	23/P	0	04	18
SHIVNAGAR	105/6 P	0	01	95
(LONAD)	105/6 P	0	01	60
	105/6 P	0	09	31
	105/6 P	0	05	20
	105/11 P	0	00	86
	105/11 P	0	06	65
	105/11 P	0	01	11
	105/11 P	0	02	22
	105/11 P	0	05	13
	105/11 P	0	06	37

1	2	3	4	5
	105/11 P	0	02	74
	105/11 P	0	10	25
	105/11 P	0	05	52
	105/11 P	0	00	35
	104/12 P	0	11	42
	104/12 P	0	06	30
	104/12 P	0	05	95
	107/1	0	06	70
	107/1	0	72	00
	107/1	0	00	42
	53/8	0	02	17
	53/7	0	11	09
	110/1	0	30	62
	110/3	0	01	91
	111/2	0	04	70
	51/5	0	02	60
	52/2	0	00	42
	52/2	0	19	62
YELKUNDE	66 A	0	54	40
	23/1	0	01	25
	54/8	0	07	30

1	2	3	4	5
	53/1	0	01	18
	53/2	0	01	25
	53/3	0	00	65
	53/4	0	01	05
	54/7/1	0	01	18
	54/7/2	0	00	50
	60/1	0	00	20
	60/2	0	00	50

(File No. R-31015/ 1/98-OR.II)

K.C. Katoch, Under Secretary

श्रम मंत्रालय

नई दिल्ली, 16 अप्रैल, 1998

कांग्रेस 896.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सेंट्रल बैंक ऑफ इंडिया के प्रबन्धतंत्र के संबंध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्धिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण कानपुर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 7-4-98 को प्राप्त हुआ था।

[संख्या एल-12012/1/94-आई-आर०(बी-2)]
पी०जे० माईकल, डैस्क अधिकारी

MINISTRY OF LABOUR

New Delhi, the 16th April, 1998

S.O. 896.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Central Bank of India and their workman, which was received by the Central Government on 7-4-98.

[No. L-12012/1/94-IR(B-II)]
P. J. MICHAEL, Desk Officer

ANNEXURE

BEFORE SRI B. K. SRIVASTAVA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT PANDU NAGAR, KANPUR

Industrial Dispute No. 28 of 1994

In the matter of dispute :

BETWEEN :

Babu Ram Yadav,
C/o. Siya Ram Yadav.
Village Kogia.
P.O. Implipur.
District Azamgarh.

AND

Regional Manager,
Central Bank of India,
Lanka Varanasi.

APPEARANCE :

Neeta Mathur—for the workman and V. K. Gupta, for the management Central Bank of India.

AWARD

1. Central Government, Ministry of Labour, vide notification No. L-12012/01/94-IR-B-2 dated 25th March, 1994, has referred the following dispute for adjudication to this Tribunal :—

Whether the action of the management of Central Bank of India, Azamgarh in terminating the services of Sri Baburam Yadav, Ex. Temporary Sub Staff with effect from July 1990, and not considering him for regular employment is justified? If not, what relief is the said workman entitled to?

2. The case of the concerned workman Baburam Yadav is that he was engaged as an Assistant in 1986 and worked upto 1990 for 472 days with the opposite party Central

Bank of India at Azamgarh Branch of the opposite party. He had to work for whole day. Whenever he was asked for regularisation he was assured Junior to him have been made permanent. However, his services were illegally terminated in July 1990.

3. The opposite party Central Bank of India has filed reply in which it has been alleged that the concerned workman had not completed 240 days in any calendar year. In 1990 a test was held for ex-sub staff. The concerned workman was not found eligible as he had become overage. No provisions of Industrial Disputes Act have been violated.

4. In the rejoinder nothing new has been alleged.

5. In support of his case, the concerned workman has examined himself as Baburam Yadav as W.W.1, whereas the management has examined S. K. Tripathi M.W.1. Besides vouchers Ext. M-2 to M-59 have been filed. Ext. M-1 is the copy of application of the concerned workman dated 15-4-92. This letter ceased the fate of the concerned workman. In the above letter the concerned workman has alleged that from 26-8-86 upto 31-12-86 he had worked for 91 days, from 1-6-87 to 31-12-87 he had worked for 159 days. In the year 1988 he had worked for 51 days. In the year 1986 he had worked for 69 days whereas in the year 1991 for 102 days. This employment too was in broken periods. It will go to show that concerned workman had not completed 240 days in a year hence question of breach of section 25F of I.D. Act does not arise.

6. The concerned workman had further stated that after termination he had applied for job but he was not considered. In his cross examination he had stated that he used to supply water. At that time one B. M. Singh another person working as peon. Thus it will be seen that the concerned workman was not engaged on the post of any peon. Instead he used to be engaged as water boy of and on. Such a person has got no right of fresh opportunity. Further refusal to take work from such a casual worker would not amount to retrenchment in any manner, hence question of breach of provisions of Industrial Disputes Act does not arise.

7. Consequently my award is that refusal on the part of the management to take work from the opposite party is not bad in law and the concerned workman is not entitled for any relief.

8. Reference is answered accordingly.

B. K. SRIVASTAVA, Presiding Officer

नई दिल्ली, 16 अप्रैल, 1998

कांग्रेस 897.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सेंट्रल बैंक ऑफ इंडिया के प्रबन्धतंत्र के संबंध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्धिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण कलकत्ता के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 7-4-98 को प्राप्त हुआ था।

[संख्या एल-12012/14/94-आई-आर०(बी-2)]
पी०जे० माईकल, डैस्क अधिकारी

New Delhi, the 16th April, 1998

S.O. 897.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Calcutta as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Central Bank of India and their workman, which was received by the Central Government on 7-4-98.

[No. L-12012/14/94-IR(B-II)]
P. J. MICHAEL, Desk Officer

ANNEXURE
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL
AT CALCUTTA

Reference No. 25 of 1994

PARTIES :

Employers in relation to the management of Central Bank
of India.

AND

Their Workmen.

PRESENT :

Mr. Justice A. K. Chakravarty, Presiding Officer.

APPEARANCES :

On behalf of Management—Mr. S. K. Chatterjee, D.C.O.
(Law).

On behalf of Workmen—Mr. D. Basu, Advocate.

STATE : West Bengal.

INDUSTRY : Banking.

AWARD

By Order No. L-12012/14/94-IR(B-II) dated 2nd/5th August, 1994, the Central Government in exercise of its powers under Sections 10(1)(d) and (2A) of the Industrial Disputes Act, 1947 referred the following dispute to this Tribunal for adjudication :

"Whether the action of the management of Central Bank of India, Calcutta, in not regularising and terminating the services of Shri Mahabir Kahar, Casual Workman w.e.f. 7-7-1991 is legal and justified? If not, what relief is the said workman entitled to?"

2. When the case is called out today, Mr. S. K. Chatterjee, representative of the management appears but none appears for the union and no step is also taken on its behalf even in spite of the service of the notice dated 31-1-1998 by the management intimating the concerned union that the matter would be taken-up for hearing on this date.

3. It appears from the record that the concerned workman Mahabir Kahar was examined partly in chief on 30-9-1996. Since then he did not appear. Since the examination-in-chief of the witness was not concluded, nor was he produced for cross-examination that his evidence in the record is expunged. It further appears from record that the union is not taking any step in the matter since 13-2-1997. It is therefore clear that the union is no longer interested in the present reference.

4. Representative of the management declines to examine any witness in view of the absence of any evidence from the side of the union.

5. In the aforesaid circumstances, in the absence of any material for any decision of the schedule under reference, this Tribunal has no other alternative but to ass a "No Dispute" Award.

6. A "No Dispute" Award is accordingly passed and the reference is disposed of.

This is my Award.

Dated, Calcutta,
The 26th March, 1998.

A. K. CHAKRAVARTY, Presiding Officer
नई दिल्ली, 16 अप्रैल, 1998

कांश्ट्रा० 898.—औद्योगिक विवाद अधिनियम, 1947
(1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्टेट बैंक ऑफ इंडिया नहीं विल्ली के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक

अधिकरण, कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 13-4-98 को प्राप्त हुआ था।

[संख्या एल-12012/55/93-आई०आर० (बी०-I)]

पी०जे० माईकल, डैस्क अधिकारी

New Delhi, the 16th April, 1998

S.O. 898.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of State Bank of India, New Delhi and their workmen, which was received by the Central Government on 13-4-1998.

[No. L-12012/55/93-JR(B-II)]

P. J. MICHAEL, Desk Officer

ANNEXURE

BEFORE SRI B. K. SRIVASTAVA, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-
CUM-LABOUR COURT, PANDU NAGAR, KANPUR.

Industrial Dispute No. 104 of 1993

In the matter of dispute between :

State Bank of India Karamchari Sangh,
C/o B. P. Saxena 127/191W-1, Saket Nagar,
Kanpur.

AND

Regional Manager,
Region I State Bank of India,
M. G. Marg, New Delhi.

APPEARANCES :

B. P. Saxena for the workman and S. N. Sharma for the Management of State Bank of India.

AWARD

1. Central Government, Ministry of Labour, vide notification No. L-12012/155/93-I.R. (B-) dated 30-11-1-12-93 has referred the following dispute for adjudication to this Tribunal—

Whether the management of State Bank of India is justified in taking action as indicated in their memorandum No. RM/25/17 dated 26-2-91 issued to Sri G. P. Bajpai, clerk/typist by branch manager, State Bank of India, Motijheel, Kanpur. If not, to what relief the workman is entitled ?

2. There is no dispute that the concerned workman G. P. Bajpai was also working as clerk at Orai Branch of the opposite party State Bank of India w.e.f. 23-3-85. On 28-4-88 he was transferred to Kanpur on medical ground. During the course of his posting at Kanpur he was issued a letter dated 26-2-1991 by which a sum of Rs. 2229 was sought to be recovered as arrears of 8 months 13 days on the premises of salary for this period was wrongly issued which runs as under—

State Bank of India
Motijheel, Kanpur,
BM/25/17,
Staff Circular,
Annual Increment.

G. P. Bajpai, Clerk/Typist,
SBI, Motijheel, Kanpur,
Dated 26-2-1991.

With reference to the above we are advised by the Zonal Office that your leave position as on date of your relief from Orai branch was as under—

(a) Total Absence/Leave taken up
23-4-88.

12 months
7 days.

(b) Total privilege leave granted upto 23-4-88.	2 months 8 days.
(c) Total sick leave granted on half pay upto 23-4-88.	3 months 2 days.
(d) Extraordinary leave on loss of pay upto 23-4-88.	6 months 27 days.

As no recoveries were made by Orai branch, hence salary and allowances for 8 months and 13 days are to be recovered now after shifting the date of increment for the year 1987 from 23-3-87 to 20-10-87 i.e. by six months 27 days which works out as under—

(A) 1/2 pay of sick leave for three months 2 days.	2 months 16 days.
(B) Extraordinary leave on loss of pay not counting for service.	6 months 27 days.
	8 months 13 days

Feeling aggrieved by the action of the management the concerned workman has raised the instant industrial dispute. The case of the applicant is that while working at Orai he had developed Tuberculosis for which he was taking medical treatment at Kanpur through Doctor O. P. Mittal. In connection with this illness and treatment of and on he had to remain on leave for which he had made application regularly. It is alleged that his account of leave was not correctly maintained. Otherwise he had remained absent on the basis of admissible leave and no question of recovery arises. The applicant was not given leave account as well. Hence it is submitted that the action of the management in recovering the above mentioned amount is bad in law.

3. The opposite party has filed reply in which it is alleged that leave record of the applicant was correctly maintained at Orai at Kanpur. In fact he used to remain absent on working days and on return used to mark his presence illegally. These facts were detected. Further the applicant remained absent without leave application. Whenever leave application was given it was sanctioned or refused according to rules. There is leave record of the applicant has been correctly maintained. On the basis of this leave record recovery is justified.

4. In the rejoinder nothing new has been alleged.

5. In support of his case the applicant G. P. Bajpai has examined as W.W. 1 whereas management has examined S. N. Pandey, Chief Manager, M.W. 1 besides the management has filed Exts. M-1 to M-43. In this case oral evidence is of not much consequence. The case of the concerned workman is belied from the record filed by the opposite party. The opposite party has filed extract of leave record from 1985 to March 1988, the extract of pay sheet from 1987 and other letters. I have gone through this record and find that the leave record of the applicant has been correctly maintained and the applicant was informed from time to time about the leave account and fate of leave application whenever it was given. From this record it is approved that the concerned workman had remained absent without leave and some times extraordinary leave was granted in order to regularise his services. Hence I do not find any merit in the claim of the concerned workman. The concerned workman has also filed Exts. W-1 to W-25 which are the certificate of Doctor, letter of the bank, representation of the concerned workman from all this it is established that the leave account of the concerned workman was not wrongly maintained.

6. In the end my finding is that the action of the management in realising the amount by letter dated 26-2-91 is justified. Consequently the concerned workman is not entitled for any relief.

B. K. SRIVASTAVA, Presiding Officer

नई दिल्ली, 16 प्रैल, 1998

का०आ० 899.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार पंजाब नेशनल बैंक के प्रबन्धतांत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकारण नई विली के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 7-4-98 को प्राप्त हुआ था।

[संघा एल-12012/78/96-आई०आ०(बी०-II)]

पी०जे० माईकल, इंस्क अधिकारी

New Delhi, the 16th April, 1998

S.O. 899.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, New Delhi, as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Punjab National Bank and their workman, which was received by the Central Government on 7-4-98.

[No. L-12012/78/96-IR(B-II)]
P. J. MICHAEL, Desk Officer

ANNEXURE :

BEFORE SHRI GANPATI SHARMA, PRESIDING OFFICER, CENTRAL GOVT. INDUSTRIAL TRIBUNAL,
NEW DELHI

I.D. No. 55/97

In the matter of dispute :

BETWEEN :

Shri R. N. Mehrotra through,
Organising Secretary,
National Confederation of Bank Employees,
C/o. Punjab National Bank, Raja Road,
Dehradun-0.

Versus

The Regional Manager,
Punjab National Bank,
Regional Office, 94,
M. G. Marg, Lucknow.

APPEARANCES :

None—for the parties.

AWARD

The Central Government in the Ministry of Labour vide its Order No. L-12012/78/96-IR(B-II) dated 8/9-5-97 has referred the following industrial dispute to this Tribunal for adjudication :—

“Whether the action of the management of Punjab National Bank in imposing the punishment of stoppage of 4 increments with cumulative effect on Shri R. N. Mehrotra is just, fair and legal ? If not, to what relief the workman is entitled to and from what date ?”

2. Notice of the dispute was sent to the parties. None appeared on behalf of the management on 1-9-97, 6-10-97 though the senior manager of the management put up appearance on 6-10-97 on behalf of the management. On 24-11-97 also nobody appeared on behalf of the workman nor on 22-12-97. The case was adjourned to 9-2-98 when a telegram had been received from the workman with the request to adjourn the case as he was unable to attend due to fracture. Fresh registered notice was sent to him for 10-3-98 for the filing of the claim with documents on

10-3-98. Again nobody appeared on behalf of the workman nor any claim was filed. It appears that the workman was not interested in pursuing this dispute. Hence no dispute award is given in this case leaving the parties to bear their own costs.

2nd April, 1998.

GANPATI SHARMA, Presiding Officer

नई दिल्ली, 16 मार्च, 1998

का०आ० 900.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार पंजाब नेशनल बैंक के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकारण नई दिल्ली के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 7-4-98 को प्राप्त हुआ था।

[संख्या एल-12012/139/96-आई०आर० (बी-II)]
पी०जे० माइकल, डैस्क अधिकारी

New Delhi, the 16th April, 1998

S.O. 900.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, New Delhi as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Punjab National Bank and their workman, which was received by the Central Government on 7-4-98.

[No. L-12012/139/96-IR(B-II)]
P. J. MICHAEL, Desk Officer

ANNEXURE

BEFORE SHRI GANPATI SHARMA, PRESIDING OFFICER, CENTRAL GOVT. INDUSTRIAL TRIBUNAL, NEW DELHI

I.D. No. 73/97

In the matter of dispute :

BETWEEN :

Shri Shailesh Kumar Geol through,
The General Secretary, Punjab National Bank,
Employees Union, 710, Ballimaran,
Chandni Chowk, Delhi-110006.

Versus

The Regional Manager,
South Delhi Region, Punjab National Bank,
Bhikaji Cama Place, New Delhi-110066.

APPEARANCES :

Shri M. M. Dhingra—for the workman.

Mrs. Renu Sharma—for the Management.

AWARD

The Central Government in the Ministry of Labour vide its Order No. L-12012/139/96-IR(B-II) dated 20-5-97 has referred the following industrial dispute to this Tribunal for adjudication :—

"Whether the action of the management of Punjab National Bank in awarding the punishment of stoppage of one increment with cumulative effect to Shri Shailesh Kumar Geol, Data Entry Operator is legal and justified. If not, to what relief the said workman is entitled?"

2. The workman in this case did not file statement of claim though he was allowed many opportunities. On 19-3-98 a statement was made on behalf of the workman by MW1 Shri Dhingra that the workman had died and the union did not want to pursue the case further. In view of this situation no dispute exist between the parties. No dispute award is given in this case leaving the parties to bear their own costs.

25th March, 1998.

GANPATI SHARMA, Presiding Officer

नई दिल्ली, 16 मार्च, 1998

का०आ० 901.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार विजया बैंक के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकारण चैम्बर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 7-4-98 को प्राप्त हुआ था।

[संख्या एल-12012/155/94-आई०आर० (बी-II)]
पी०जे० माइकल, डैस्क अधिकारी

New Delhi, the 16th April, 1998

S.O. 901.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Chennai, as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Vijaya Bank and their workman, which was received by the Central Government on 7-4-98.

[No. L-12012/155/94-IR(B-II)]

P. J. MICHEAL, Desk Officer

ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL, TAMIL NADU
CHENNAI

Wednesday, the 31st day of March, 1998

PRESENT :

Thiru S. Ashok Kumar, M.Sc., B.L., Industrial Tribunal
Industrial Dispute No. 175 of 1994

(In the matter of the dispute for adjudication under section 10(1)(d) of the Industrial Disputes Act, 1947 between the workmen and the management of Vijay Bank, Madras).

BETWEEN :

The workman represented by,
The Joint Secretary,

Vijaya Bank Workers, Organisation,
283, Pyorefts Road, Triplicane,
Madras-600 005.

AND

The Assistant General Manager,
Vijaya Bank, Regional Office,
123, Marshalls Road, Egmore,
Madras-600008.

REFERENCE :

Order No. L-12012/155/94-IR(B-II), dated 24-8-1994,
Ministry of Labour Government of India, New
Delhi.

This dispute coming on this day for final disposal in the presence of Thiru K. M. Ramesh, advocate appearing for the workman and of Thiru M. Chidambaram, Advocate

appearing for the management, upon perusing the reference, claim and counter statements and other connected papers on record and the counsel for the workman having made an endorsement for not pressing this dispute, this Tribunal passed the following.

AWARD

Endorsement made. Industrial Dispute is dismissed as not pressed.

Dated, this 31st day of March, 1998.

S. ASHOK KUMAR, Industrial Tribunal

Copy of the endorsement made by the Petitioner :

Since the workman concerned had expired, the Petitioner-Union is not pressing the above industrial dispute and prays that this Hon'ble Tribunal may be pleased to dismiss the I.D. as not pressed.

Sd./-

(K. M. RAMESH),
Counsel for the Petitioner.

मई दिल्ली, 16 अप्रैल, 1998

का०आ० 902.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार छह साल प्राप्ति बैंक और ई के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकारण, कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 13-4-98 को प्राप्त हुआ था।

[संख्या एल-12012/166/94-प्राइंटर० (बी० 3/बी०-1)]
पी०जे० माईकल, ईस्ट अधिकारी

New Delhi, the 16th April, 1998

S.O. 902.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Chhatrasal Gramin Bank, Orai and their workman, which was received by the Central Government on 13-4-1998.

[No. L-12012/166/94-IR (B-3)/(B-1)]

P. J. MICHAEL, Desk Officer

ANNEXURE

BEFORE SRI B. K. SRIVASTAVA PRESIDING OFFICER
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-
CUM-LABOUR COURT PANDU NAGAR, KANPUR

Industrial Dispute No. 125 of 1995

In the matter of dispute :

BETWEEN

Nathu Ram Yagyik
C/o B. P. Saxena
426-W-2 Basant Bihar
Kanpur.

AND

Chairman
Chhatrasal Gramin Bank
Rath Road Orai.

APPEARANCES :

Sri B. P. Saxena—for the workman and
Sri M. K. Verma—for the Management.

AWARD

1. Central Government, Ministry of Labour, vide Notifications No. L-12012/166/94-IR(B-1) dated 30-10-95, has

referred the following dispute for adjudication to this Tribunal—

Kya Chairman Chhatrasal Gramin Bank Orai dwara Sri Nathuram Yagyik Kamishth Lipik ki sewa dinank 13-4-85 se samapta karna nyayochit hai ? Yadi nahi to sambandhit karmkar kis anuthosh ka haqdar hai ?

2. The case of the concerned workman Nathu Ram Yagyik is that he was engaged as a clerk on 22-3-83 at Pirauna Branch of the opposite party. He was removed from service w.e.f. 1-5-1983. He was once again given opportunity to work at Jagmanpur Branch of the opposite party from 16-6-83 for 90 days. Thereafter he was appointed at Saied Nagar Branch on 28-6-84 and worked upto 13-4-85, whereafter his services were illegally terminated in breach of provision of Section 25-F of I.D. Act, as no retrenchment compensation and notice pay was given to him. Further some new hands like Anil Shukla, Satish Sharma were appointed but no opportunity was given to him. Hence this termination is bad.

3. The opposite party has filed reply in which the number of working days of the concerned workman has not been disputed. Instead it is alleged that he was engaged as adhoc clerk and was removed from service when duly recruited hands were made available. Further it is alleged that he had abandoned the job himself. This has been specifically pleaded in para 17 of the written statement.

4. In the rejoinder nothing new has been alleged.

5. In support of his case, the concerned workman has filed Ext. W-1 to W-13 which are in the nature of demand letters, and appointment letters. Besides he has examined himself as WW-1. In rebuttal the management examined V. K. Sharma MW-1. Besides Ext. M-1 to M-11 papers have been filed.

6. In the first place it will be seen that the reference itself is stale. According to the concerned workman he was removed from service illegally after 13-4-85, whereas reference has been claimed in the year 1995 i.e. after lapse of about 10 years. Thus this reference is stale. No explanation worth the name has been given about the delay.

7. In any case from the evidence of the concerned workman Nathu Ram Yagyik as well as from the admitted case of the parties it becomes clear that during the last assignment at Saiedpur Branch, the concerned workman had worked for more than 240 days. Even if the case of the management is accepted that after duly recruited hands were made available the concerned workman was removed from service, at the most it can be said to be a good ground for retrenchment. However, it does not dispense with the necessity of payment of retrenchment compensation and notice pay which has not been done in the instant case. Hence I have no hesitation in coming to the conclusion that there has been breach of provision of Section 25-F of I. D. Act

8. Management had not adduced any evidence to show that the concerned workman had left the job of his own. Further this plea appears to be after thought as according to their own pleading the management had alleged that when duly recruited hands were made available the concerned workman was terminated. Anyway as the termination of the concerned workman is bad being in breach of provision of Section 25-F of I. D. Act and inasmuch as the claim is stale without any satisfactory explanation, the concerned workman will not be entitled for reinstatement. Instead of ends of justice will suffice if the concerned workman is awarded compensation Rs. 5,000 as compensation in lieu of reinstatement.

9. Reference is answered accordingly.

B. K. SRIVASTAVA, Presiding Officer

मई दिल्ली, 16 अप्रैल, 1998

का०आ० 903.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मेंदूल बैंक और इंडिया के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट

आधिकारिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नई दिल्ली के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 7-4-98 को प्राप्त हुआ था।

[संख्या एल-12012/323/96-आई०आर० (वी० II)]
पी०ज० माइकल, डैस्क अधिकारी

New Delhi, the 16th April, 1998

S.O. 903.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, New Delhi as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Central Bank of India and their workman, which was received by the Central Government on 7-4-1998.

[No. L-12012/323/96-IR (B-II)]
P. J. MICHAEL, Desk Officer

ANNEXURE

BEFORE SHRI GANPATI SHARMA PRESIDING OFFICER CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, NEW DELHI

I. D. No. 33/98

In the matter of dispute :

BETWEEN

Smt. Bhagwani Devi w/o late Shri Pyare Lal,
Water Woman, r/o H. No. 1080, Ward No. 1
Mehrauli,
New Delhi-110030.

Versus

The Regional Manager,
Central Bank of India,
Regional Office, 'A' (South), IMA House,
Press Area, ITO, New Delhi-110030.

APPEARANCES :

Smt. Bhagwani Devi in person.
Shri Anil Thukral, Clerk—for Management.

AWARD

The Central Government in the Ministry of Labour, vide its Order No L-12012/323/96-IR (B-II) dated 6/8-1-98 has referred the following industrial dispute to this Tribunal for adjudication :—

'Whether the action of the management of Central Bank of India in not regularising the services of Smt. Bhagwani Devi W/o Late Shri Pyare Lal, Water-Woman since 1974 and thereafter terminating her services w.e.f. 3-7-1995 is legal and justified? If not to what relief the said workman is entitled and from what date?'

2. On the first date of hearing both the parties filed an application that they have mutually settled the dispute under reference and the settlement mark Annexure I was arrived at.

3. In view of the statement of the representatives for the parties recorded on 3-3-98 the industrial dispute remains settled and no dispute exists. No dispute award is given. Parties shall remain bound by the terms of the settlement.
Dated : 2nd April, 1998

GANPATI SHARMA, Presiding Officer

नई दिल्ली, 16 अप्रैल, 1998

का०आ० 904.—आधिकारिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बैंक ऑफ़ इंडिया के प्रबन्धतन्त्र के सम्बद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निविष्ट आधिकारिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार की 7-4-98 को प्राप्त हुआ था।

[संख्या एल-12012/390/90-आई०आर० (वी० II)]
पी०ज० माइकल, डैस्क अधिकारी

New Delhi, the 16th April, 1998

S.O. 904.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Bank of India and their workman, which was received by the Central Government on 7-4-1998.

[No. L-12012/390/90-IR (B-II)]
P. J. MICHAEL, Desk Officer

ANNEXURE

BEFORE SRI B. K. SRIVASTAVA PRESIDING OFFICER CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT PANDU NAGAR, KANPUR

Industrial Dispute No. 57 of 1991

In the matter of dispute :

BETWEEN

Dy. Zonal Secretary
Bank of India
Staff Association C-36
Shanti Nagar, Kanpur.

AND

Zonal Manager
Bank of India
Nawal Kishore Road
Lucknow.

APPEARANCES :

B. P. Saxena—for the workman and
M. K. Verma and P. K. Maithy—for the management
Bank of India.

AWARD

1. Central Government, Ministry of Labour, New Delhi, vide Notification No. L-12012/390/90-IR (B-II) dated 5-4-1991, has referred the following dispute for adjudication to this Tribunal—

Whether the action of the management of Bank of India in imposing punishment of withdrawal of special allowance from Sri R. R. Tripathi Special Assistant w.e.f. 4-5-86 is justified? If not, to what relief the workman concerned is entitled?

2. Although this reference was reserved for recording finding on preliminary issue regarding fairness and proprietary of domestic enquiry, final award is being given as ultimately domestic enquiry is going to be held as fair and proper. Further the punishment awarded to the concerned workman is less than removal or dismissal from service, this Tribunal has no jurisdiction to interfere with the quantum of proportionality of punishment.

3. The concerned workman Radha Raman Tripathi was working as special assistant at Gorakhpur Branch of the opposite party Bank of India. He was issued a chargesheet dated 29-7-85 in respect of an incident dated 31-5-85, which runs as under—

Bank of India
Chargesheet
Date : 29-7-85

Sri Radha Raman Tripathi
Special Assistant
Gorakhpur Branch

The explanation of Sri R. R. Tripathi dated 15-7-85, in reply to the bank's memo dated 2-7-85, have been found unsatisfactory and it has been decided to hold a departmental enquiry on the following charges—

1. While working special assistant at Bank's Gorakhpur Branch on 31-5-85, you engaged yourself in highly indisciplined behaviour in the branch premises alongwith Sri H. R. P. Shukla Staff Subordinate, during the course of which you spoke in vulgar and unparliamentary language in the presence of the customers and other staff members. When Sri H. R. P. Shukla tried to take you to his lap you did not object and made obscene gesture using vulgar language.
2. You are therefore charged with the gross misconduct of disorderly and indecent behaviour on the premises of the bank under para 19.5(c) of the Bipartite Settlement dated 19-10-66.

One P. K. Pandey an officer of the bank was appointed enquiry officer. After completing enquiry he submitted his report dated 21-3-86. Agreeing with this report the concerned workman has been awarded punishment by way of withdrawal of special allowance w.e.f. 4-5-86. Feeling aggrieved the concerned workman has raised the instant industrial dispute.

4. In the claim statement it was alleged by the concerned workman that enquiry was not fairly and properly held, inasmuch as he was not given opportunity to adduce evidence and further since he had been admonished by way of second punishment enquiry ought not to have been held. On facts, it was denied that he had committed any such misconduct as was in the chargesheet.

5. In the written statement it was denied that the concerned workman had been awarded punishment by way of admonition. It was further alleged that enquiry was fairly and properly held.

6. In the rejoinder, nothing new has been alleged. On the pleadings of the parties following preliminary issue was framed :

Whether the domestic enquiry conducted by the bank was fair and proper?

7. I have heard the parties and have gone through the evidence enquiry proceedings and enquiry finding.

8. Firstly I would like to deal with the objection of the concerned workman that he had already been punished by way of admonition, hence this enquiry is bad in law. The record reveals that immediately after the occurrence one J. L. Tulsivan Manager had reprimanded the concerned workman for having committing vulgar act. On the basis of this it has been urged that the concerned workman had already been punished by way of admonition. I do not agree with this contention. It is not uncommon that if any subordinate commits any wrongful act in order to restore normalcy the head of the department has to rebuke the delinquent. Still if the wrongful act is deemed to be grave consequently follow up action is also taken. Further when admonition is administered by way of punishment it is to be entered in the service record of the delinquent which has certainly no place here in the instant case. In its absence I am not inclined to accept the contention on behalf of the delinquent that he had already been punished by way of admonition, hence this contention is overruled.

9. In the next place it was submitted that enquiry officer had in his report made use of his personal knowledge while dealing the question of admonition. It is submitted that in this way Enquiry Officer has brought extrepeous matter hence the enquiry report is vitiated. This contention is also devoid of any force as the stand of the concerned workman regarding having been punished by way of admonition has not been accepted at all. In other words it has not been held that he was been punished by way of admonition. Hence even if the Enquiry Officer has imported his explanation from some other case it will not vitiate the enquiry.

10. Lastly it may be considered if the concerned workman was not given opportunity to defend. It appears that the management had examined Munir Alam and A. K. Beg as eye witnesses of the above mentioned misconduct. After close of their evidence, 3-2-86 was fixed for evidence by defence. Without explaining as to why defence representative has not appeared the concerned workman applied further adjournment on this ground. The Enquiry Officer reluctantly granted time and fixed 4-2-86 for this purpose. Still the concerned workman did not adduce evidence on the pretext that the representative had not turned up. From this it will be evident that adequate opportunity was given to the concerned workman. If he did not avail of it, he has to thank himself. The Enquiry Officer cannot be accused of denying the opportunity to the concerned workman from adducing evidence. Further from the entire proceeding I find that the conduct of the concerned workman had been to delay the proceedings on one pretext or the other. In this back ground too I think Enquiry Officer has acted fairly. Thus all the three points raised on behalf of the workman having been repealed and after going through enquiry file I find that enquiry proceeding does not suffer from any infirmity. Accordingly it is held that enquiry was fairly and properly held.

11. It has already been observed that as the punishment awarded to the concerned workman is less than dismissal, removal or discharge from service, this Tribunal cannot go into the proportionality or quantum of punishment. Accordingly my award is that the action of the bank is justified in withdrawing the special allowance of the concerned workman w.e.f. 4-5-86. Accordingly the concerned workman will not be entitled to any relief.

B. K. SRIVASTAVA, Presiding Officer

नई दिल्ली, 16 अप्रैल, 1998

का०आ० 905.—श्रीयोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार नोट्स रेलवे, इलाहाबाद के प्रबन्धतन्त्र के सम्बद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबन्ध में निर्विघ्न श्रीयोगिक विवाद में केन्द्रीय सरकार श्रीयोगिक अधिकरण, कानपुर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 13-4-98 को प्राप्त हुआ था।

[संख्या प्रल-41012/3/97-आई०आर० (बी/बी० I)]

पी० जे० माईकल, डैस्क अधिकारी

New Delhi, the 16th April, 1998

S.O. 905.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Northern Rly., Allahabad and their workmen, which was received by the Central Government on 13-4-98.

[No. L-41012/3/97-IR (B/B-I)
P. J. MICHAEL, Deputy Officer

ANNEXURE

BEFORE SRI B. K. SRIVASTAVA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, PANDU NAGAR, KANPUR

Industrial Dispute No. 217 of 1997

In the matter of dispute

BETWEEN

Ramesh Chand S/o Mahadeo Prasad,
Village Raghunathpur Post Narar,
District Kanpur.

AND

Mandal Rail Prabandhak,
Northern Railway,
Allahabad Division,
Allahabad.

EXPARTE AWARD

1. Central Govt. Ministry of Labour, New Delhi, vide notification no. L-41012/3/97/I.R.B. dated 7/8-10-97, has referred the following dispute for adjudication to this Tribunal—

"Kya Mandal Rail Prabandhak Uttar Railway Allahabad ke dwara Sri Ramesh Chandra Atmaj Mahadeo Prasad ko dinank 14-8-91 se naukari se hatana tatpashchat use Audyogik Vivad Adhiniyam ki dhara 25F ke anusar jab nai bhartiyan hui us samay uprokta karmkar ko niyukti ke liye awasar na dena uchit aur vaidhanik hai ? Yadi nahi to sambandhit karmkar kis anutosh ka haqdar hai?"

The case of the concerned workman Ramesh Chandra is that he was engaged as waterman by the opposite party N. Rly. on 3-7-78 at Bhaupur Rly. Station and he continuously worked upto 14-8-97. In that course he had attained the temporary status, in 1984 after screening. He was also given c.p.c. scale still he was illegally removed in breach of provisions of sec. 25F, G & H of I.D. Act. Hence this termination is bad.

2. Opportunity was given to the opposite party to file W.S. but they have failed to do so, hence case proceeded ex parte against them. In support of his case, the concerned workman Ramesh Chandra has examined himself as W.W.1 besides he has filed papers Ext. W-1 to W-9. There is no evidence in rebuttal hence I accept it. Accordingly on the basis of this evidence, it is proved that the concerned workman had been removed from service in defiance of section 25F, G and H of I.D. Act. Hence, his termination is bad in law and accordingly he is entitled for reinstatement with back wages.

B. K. SRIVASTAVA, Presiding Officer

नई दिल्ली, 16 अप्रैल, 1998

का०आ० 906.—ग्रौद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार नोर्डन रेलवे सख्तनक के प्रबन्धतन्त्र के सम्बद्ध

नियोजकों और उनके कर्मकारों के बीच, अनुबन्ध में निर्दिष्ट ग्रौद्योगिक विवाद में केन्द्रीय सरकार ग्रौद्योगिक अधिकरण, कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 13-4-98 को प्राप्त हुआ था।

[संख्या एल-41012/105/90-आई०आर० डी०पू० झी-2
(झी)/बी० I]

पी० जे० माइकल, डैस्क अधिकारी

New Delhi, the 16th April, 1998

S.O. 906.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Northern Rly., Lucknow and their workmen, which was received by the Central Government on the 13-4-98.

[No. L-41012/105/90-IR D.U. D-2(B)I]

P. J. MICHAEL, Desk Officer

ANNEXURE

BEFORE SRI B. K. SRIVASTAVA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, PANDU NAGAR, KANPUR

Industrial Dispute No. 129 of 1991

In the matter of dispute

BETWEEN

Divisional President,
U.R.K.U. Clo. A. K. Singh,
LDE Loco Running Shed Alambagh,
Lucknow.

AND

Divisional Railway Manager,
Northern Railway,
Lucknow.

Appearance :

P. K. Tiwari for the Union and Kumari Suman Gupta for the Railway Management.

AWARD

1. Central Government, Ministry of Labour, New Delhi, vide notification No. L-41012/105/90/I.R. D.U.D.-2(B) dated 11-9-91 has referred the following dispute for adjudication to this Tribunal—

"Whether the D.R.M. Northern Rly. Lucknow is justified in not giving proper seniority to Sri Harihar Nath Tiwari in the grade of Sr. Clerk in place of junior resulting in non grant of promotion as Asstt. Superintendent ? If not, what relief the workman concerned is entitled to ?"

2. The case of the concerned workman Harihar Nath Tiwari is that he is working as head clerk under Sr. Div. Mech. Engineer Northern Rly. Lucknow. He

got promotion of head clerk in the year 1984 whereas juniors to him like C. P. Yadav, Mohd. Sagir and Awadh Prasad were promoted as head clerk in the year 1983. Before this at the time of promotion senior clerks to the above mentioned persons were promoted before the concerned workman in the year 1978. In that order the above mentioned persons have not passed the suitability test for senior clerk hence he is entitled for seniority from the above mentioned persons since 1978, as senior clerk and thereafter as head clerk.

3. The opposite party has filed written statement in which it has been alleged that Shanker Pd. Yadav, Mohd. Sageer and Awadh Prasad were granted exemption from written test and were found suitable by the branch officer in interview in the year 1978 whereas concerned workman had failed in the suitability test in the year 1978. Hence, these juniors were promoted prior to the concerned workman. On the basis of same seniority the above mentioned three persons were promoted as head clerk anterior to the concerned workman.

4. In the rejoinder, it has been alleged that this Act of granting exception was bad.

5. I have given repeated opportunity to the opposite party railway to show the provisions under which the competent authority could grant exemption from written test to eligible candidates by competent authority, the same could not be placed. Rather the authorised representative of the concerned workman informed that there is no such rule. Hence granting of exemption to C. P. Yadav, Sageer Ahmad and Awadh Prasad from written test was not justified. Still I am of the opinion, that the concerned workman cannot derive any benefit from this wrongful act of the competent authority. There is no dispute that in the year 1978 a written test of the concerned workman was taken and he had not cleared the test for senior clerk. As such he was rightly not promoted as senior clerk in the year 1978. When he cleared the test in the year 1979 he was promoted. It was submitted on behalf of the concerned workman that in the year 1978 he too was entitled for exemption like others. In not doing so he had been victim of discrimination, hence by making deemed exemption from suitability test should be deemed to have become eligible for senior clerk for promotion in the year 1978. I have already held that granting exemption of C. P. Yadav and other was not justified. It is well settled law that question of discrimination is not applied to wrongful acts done by certain authorities. Hence, parity on this ground does not arise. In any case seeking to cure such defect of seniority relating to year 1978, after passage of about 12 years is stale and amounts no consideration.

6. Hence on both the grounds I am of the opinion, that the concerned workman was not entitled for promotion as senior clerk from 1978 and head clerk from 1983. Accordingly my award is that he is not entitled for any relief.

Dt: 3-4-98.

B. K. SRIVASTAVA, Presiding Officer
1072 GW/98-13

नई दिल्ली, 16 अप्रैल, 1998

कांगड़ा 90%—ओद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार नोटिस रेलवे, मुरादाबाद के प्रबन्धनतन्त्र के सम्बद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबन्ध में निर्दिष्ट ओद्योगिक विवाद में केन्द्रीय सरकार ओद्योगिक अधिकरण, कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 13-4-98 को प्राप्त हुआ था।

[संख्या एल-41012/217/95-आई०आर० बी/बी० १]
पी० जे० माइकल, डैस्क अधिकारी

New Delhi, the 16th April, 1998

S.O. 907.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Northern Railway, Moradabad and their workman, which was received by the Central Government on the 13-4-1998.

[No. L-41012/217/95-IR B./B. I.]
P. J. MICHAEL, Desk Officer

ANNEXURE

BEFORE SHRI B. K. SRIVASTAVA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
PANDU NAGAR, KANPUR.

Industrial Dispute No. 34 of 1997

In the matter of dispute :

BETWEEN :

Naresh Kumar, S/o. Kishan Chand, C/o.
Bhartiya Mazdoor Sangh, 32, Chakrata
Road, Dehradun. (U.P.).

AND

Divisional Railway Manager, Northern Railway,
Moradabad.

APPEARANCE .

D. N. Tiwari for the Workman H. Qureshi for
Railway.

AWARD

1. Central Government, Ministry of Labour, vide its Notification No. L-41012/217/95-I.R. (B), dated 21-1-1997, has referred the following dispute for adjudication to this Tribunal :—

“Whether the action of the management of Northern Railway through Divisional Railway Manager, Moradabad in terminating the services of Shri Naresh Kumar, Ex-casual labour is just and legal ? If not, what relief he is entitled and from what date ?”

2. The case of the concerned workman Naresh Kumar is that he was engaged as casual labour on 11-8-1977 by the opposite party Northern Railway and was posted under P.W. I Dehradun. He worked there upto 14-5-1980, thereafter he worked upto 29-6-1983, under IOW Dehradun. As he had completed more than 120 days in 1980, he acquired temporary status still he was illegally removed from service on 30-6-1983, thereafter he kept on making representation. One such representation was given on 26-11-1991 to P. W. I. Roorki which was referred to D.R.M. but no action has been taken.

3. The opposite party has filed reply in which it has been alleged that concerned workman was engaged casually for different periods to meet the pressure of Kumbh Mela. He had not attained temporary status. Further claim is stale. When the work of Kumbh Mela was finished his engagement automatically came to an end.

4. In support of his case, the concerned workman Naresh Kumar has examined himself as W.W. 1. There is no evidence in rebuttal. Besides the concerned workman has filed papers Ext. W. 1 to W. 4.

5. In the first place it will be seen that the claim is stale. Termination took place in 1983 whereas reference has been made in 1997. No doubt the concerned workman has tried to show that he had made representation in 1991 to P. W. I Roorki such representation was forwarded. Its copy is also on record. I think by making representation in 1991, the regour of staleness will not be minimised. The claim will continued to be stale, hence on this ground alone, the concerned workman is not entitled for any reinstatement.

6. However, on merits there is unrebutted evidence of Naresh Kumar that he had continuously worked. Acting upon this unrebutted evidence, I accept the unrebutted evidence of the concerned workman and hold that termination is bad. Still he will not be entitled for reinstatement. Instead he will be entitled for Rs. 3000/- as compensation in lieu of reinstatement.

B. K. SRIVASTAVA, Presiding Officer.

नई दिल्ली, 17 अप्रैल, 1998

का०आ० 908.—श्रीबोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार नोर्थ इस्टर्न रेलवे, लखनऊ के प्रबन्धतन्त्र के सम्बद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबन्ध में निर्दिष्ट श्रीबोगिक विवाद में केन्द्रीय सरकार श्रीबोगिक अधिकरण, कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 16-4-98 को प्राप्त हआ था।

[मंच्या एल-41011/32/92-आई०आर० (डी०य०)/वी० I]

पी० जे० माईकल, डैस्क अधिकारी

New Delhi, the 17th April, 1998

S.O. 908.—In pursuance of the Section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of North Eastern Rly., Lucknow and their workmen, which was received by the Central Government on 16-4-98.

[No. L-41011/32/92-I.R.(DU)|B.I]

P. J. MICHAEL, Desk Officer

ANNEXURE

BEFORE SRI B. K. SRIVASTAVA PRESIDING OFFICER CENTRAL GOVT., INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT
PANDU NAGAR KANPUR

Industrial Dispute No. 62 of 1993

In the matter of dispute between

Secretary
Purvottar Railway Shramik Sangh
6 Navin Market Kaisrbagh.
Lucknow.

AND

Assistant Engineer
N.E.R. Lucknow.

APPEARANCE:

P. K. Tiwari for the Union and Quamar Jahan Advocate for the management of North Eastern Railway, LKO.

AWARD

1. Central Govt. Ministry of Labour New Delhi vide notification No. L-41011/32/92-I.R.(DU) dated 19-8-93, has referred the following dispute for adjudication to this Tribunal—

Whether the action of Assit. Engineer N.E. Railway Sitapur in imposing penalty of withholding of two increments (cumulative) of Sri Ram Sewak and Dularey Gangman is justified? If not, what relief the workmen concerned is entitled?"

2. In this reference there are two workmen viz Ram Sewak and Dularey. The authorised representative of the concerned workmen Sri P. K. Tiwari has not passed the claim of Dularey hence his case is being decided against him for want of prosecution.

3. As regards the claim of Ram Sewak, there is no dispute between the parties that in between Golagokaran Nath Rly Station and Raja Railway Station there are Pole Nos. 157 to 164 as well. The concerned workman Ram Sewak was on patrol duty along-with Home Guard between mile No. 160 to 164 and pole No. 9 of 160 km to pole No. 5 of 164 km. On 21-3-88, 7 UP Kathgodam Express had passed from this route. In that course it had dashed against one buffallow cart as a result of which running of train was affected between pole No. 6 and 7 of 164 km

It is alleged that the concerned workman did not inform the Station Master that he did not assist in the removal of debris after holding enquiry he was punished by order dated 6-9-85 by way of stoppage of two increments with cumulative effect. Feeling aggrieved the concerned workman has raised the instant industrial dispute.

4: In the claim statement it is alleged that the accident took place with the radius which was in his petrol duty. Instead it took place between Pole No. 6 and 7 of 164 miles which was under the patrol duty of Mohan. Hence he has been wrongly punished. Enquiry was also not fairly and properly held. By order dated 26-11-97, it was held that enquiry was not fairly and properly held, hence the management was given opportunity to prove the misconduct on merits.

5. In support of their case the management examined O. P. Jaiwal Office Superintendent, M.W. 1. His evidence is that at the time of accident the concerned workman was on duty from pole No. 9 of 160 km to pole No. 5 of 164 km where accident took place in between pole No. 6 and 7 of 164 km which was not in the area of the concerned workman. He had conceded that the concerned workman was not responsible for this accident in any manner. His only fault was that he did not inform to station master. Thus it will be seen that he has given almost clean chit to the concerned workman. As the accident had admittedly not taken place in the area of the concerned workman. I have no hesitation in holding that he was not responsible for it in any manner. Mohan who was on duty at this time and under whose area this accident took place was responsible. It was his duty to have informed the station master. In this way I come to the conclusion that the concerned workman was not guilty of any misconduct in connection with the accident and he has been wrongly punished. Accordingly my award is that punishment awarded to the concerned workman Ram Sewak by way of stoppage of two increments with cumulative effect is bad in law and he will be entitled for all consequential relief.

6. The other concerned workman Dularcy will not be entitled for any relief.

B. K. SRIVASTAVA, Presiding Officer

नई दिल्ली, 17 अप्रैल, 1998

का०आ० 909.—श्रीशोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार नोटर्स रेलवे, के प्रबन्धतन्त्र के सम्बद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबन्ध में निर्दिष्ट श्रीशोगिक विवाद में केन्द्रीय सरकार श्रीशोगिक अधिकरण, कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 16-4-98 को प्राप्त हुआ था।

[संख्या एल-41012/104/91-आईआर० (डी०य००)/बी० ॥]

पी० जे० माइकल, डैस्ट्रिक्ट अधिकारी

New Delhi, the 17th April, 1998

S.O. 909.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Northern Rly., Kanpur and their workman, which was received by the Central Government on 16-4-98.

[No. L-41012 104/91-I.R.(D.U.)|B.I]

P. J. MICHAEL, Desk Officer

ANNEXURE

BEFORE SRI B. K. SRIVASTAVA PRESIDING OFFICER, CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT PANDU NAGAR, KANPUR

Industrial Dispute No. 65 of 1993

In the matter of dispute

BETWEEN

Asstt. General Secretary,
U.R.J.U. 39-II-D Multistoried Rly. Colony,
Charbagh, Lucknow.

AND

Sr. Divisional Personnel Officer,
Northern Rly. Hazaraganj,
Lucknow.

AWARD

1. Central Government, Ministry of Labour, New Delhi, vide notification No. L-41012|104|91-I.R. (D.U.) dated 26-8-93, has referred the following dispute for adjudication to this Tribunal—

"Whether the action of Sr. Divisional Electrical Engineer Divisional Personnel Officer, Northern Rly., Lucknow in not promoting Sri Kanhaiya Lal son Ramlal as Pump Engine Dr. Gr. II w.e.f. 17-5-84 and Pump Engine Driver Gr. I w.e.f. 8-10-93 is justified ? If not what relief the concerned workman is entitled to ?"

2. The case of the concerned workman Kanhaiya Lal is that he was working as Pump Engine Driver under Divisional Electrical Engg. N.K., Lucknow since 22-9-59. He was due for promotion as Pump Engine Driver G. II w.e.f. 17-5-84 in the scale of 1200-1800 which was not given to him illegally. Instead juniors to him like Nandlal and Kalu Ram have been given this grade. In this way he has been wrongly superseded. Similarly he was again superseded when promotions for Pump Engine Driver was given from 8-10-90. Whereas juniors were promoted.

3. The opposite party has filed reply in which it has been alleged that the concerned workman was superseded and juniors were promoted in accordance with rules.

4. In the rejoinder nothing new has been alleged. Thus from the above it will be evident that it is common ground that the concerned workman has been superseded on both the occasion and juniors to him have been promoted. I had asked both the parties to submit rules regarding promotions and none of them have filed the same. In its absence question of supersession of the concerned workman will be considered on the basis of principles of natural justice.

5. Kanhaiya Lal W.W.I in his evidence has admitted that when promotion for Pump Engine Driver Gr. II was considered a criminal case was pending against him and he was under suspension. In my opinion when an official is facing criminal case and is under suspension he should not be taken into the zone of eligibility of promotion and pendency of such criminal case and suspension put an impediment. Hence, the opposite party railway was justified in not considering the concerned workman for promotion in the year 1984 for promotion of Pump Engine Driver Gr. II. as junior to him were found suitable nothing wrong have been done if they have been promoted. The concerned workman will be entitled for promotion only when he becomes eligible after criminal case comes to an end and suspension order is revoked.

6. In this way my award is that the concerned workman was rightly not promoted to the post of Pump Driver Gr. II w.e.f. 1984 and was not entitled for promotion as Pump Engine Driver Gr. I from 8-10-1990. Consequently the concerned workman is not entitled for any relief.

B. K. SRIVASTAVA, Presiding Officer

नई विल्सी, 17 अप्रैल, 1998

का०आ० 910.—श्रीशोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार रेलवे सहकारी शम संविधा समिति लिमिटेड, टाउनला के प्रबन्धसत्र के सम्बद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबन्ध में निर्दिष्ट श्रीशोगिक विवाद में केन्द्रीय सरकार श्रीशोगिक अधिकरण, कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 16-4-98 को प्राप्त हुआ था।

[संघा एस-41012/208/95-आईआर० (बी०-१)]
पी० जे० माइकल, डैस्ट्रिक्ट अधिकारी

New Delhi, the 17th April, 1998

S.O. 910.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure in the industrial dispute between the employers in relation to the management of Rly., Sahkari Shram Samvida Samiti Ltd., Tundla and their workman, which was received by the Central Government on 16-4-98.

[No. L-41012/208/95-I.R.(B-I)]
P. J. MICHAEL, Desk Officer

ANNEXURE

BEFORE SRI B. K. SRIVASTAVA PRESIDING OFFICER, CENTRAL GOVT. INDUSTRIAL TRIBUNAL CUM-LABOUR COURT PANDU NAGAR, KANPUR

Industrial Dispute No. 126 of 1996

In the matter of dispute

BETWEEN

Srikant Pandey Out House No. 5,
Bangla Kadar Road,
Allahabad.

AND

Secretary,
Rly. Sahkari Shram Samvida Samiti Ltd.,
Hata Asgorganj Main Road,
Tundla.

AWARD

1. Central Govt. Ministry of Labour, vide notification no. L-41012/208/95-I.R.B.I. dated 18-12-96, has referred the following dispute for adjudication to this Tribunal—

“Whether the action of the management of Rly. Sahkari Shram Samvida Samiti Ltd. Tundla U.P. in terminating the services of Sri Kant Pandey is legal and justified ? If not to what relief the workman is entitled ?”

2. The case of the concerned workman Sri Kant Pandey is that he was working as Parcel Porter as daily rated worker with the opposite party railway Sahkari Shram Samvida Samiti Limited, Tundla w.e.f. 2-3-79. He has worked continuously upto 9-3-94 when he was removed from service in breach of provisions of sec. 25F of I.D. Act, hence he has claimed reinstatement with back wages.

3. The opposite party inter-alia has raised the objection that the opposite party is a registered co-operative society and as such is not an industry. In the case of Vikramadit Pandey versus Industrial Tribunal LKO 1997 (5) FLR 844 it has been held that cooperative societies registered under Cooperative Societies Act are governed by the Rules and Regulations of such societies and Industrial Disputes Act does not apply to him.

4. In view of this authority the opposite party Society is not an industry and further the concerned workman is not workman as envisaged by section 2(s) of I.D. Act. Consequently my award is that concerned workmen is not entitled for any relief.

B. K. SRIVASTAVA, Presiding Officer

नई विल्सी, 20 अप्रैल, 1998

का०आ० 911.—श्रीशोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ईस्टर्न रेलवे, कलकत्ता के प्रबन्धसत्र के सम्बद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबन्ध में मिरिष्ट श्रीशोगिक विवाद

में केन्द्रीय सरकार ग्रौबोगिक अधिकरण, कलकत्ता के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 17-4-98 को प्राप्त हुआ था।

[संलग्न एल-41012/98/92-आई.आर.(डी.प.)]
पी.जे. माइकल, डैस्ट्रिक्ट अधिकारी

New Delhi, the 20th April, 1998

S.O. 911.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Calcutta as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Eastern Railway, Calcutta and their workman, which was received by the Central Government on 17-4-98.

[No. L-41012/98/92-IR(DU)]

P. J. MICHAEL, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT CALCUTTA

Reference No. 44 of 1993

PARTIES :

Employers in relation to the management of Eastern Railway, Calcutta.

AND

Their Workmen

PRESENT :

Mr. Justice A. K. Chakravarty, Presiding Officer

APPEARANCE :

On behalf of Management.—Mr. N. K. Roy, Advocate.

On behalf of Workman.—Mr. Md. Basad Ali, Advocate, with Mr. U. K. De, Advocate.

STATE : West Bengal.

INDUSTRY : Railway.

AWARD

By Order No. L-41012/98/92-IR(DU) dated 28-10-1993 the Central Government in exercise of its powers under section 10(1)(d) and (2A) of the Industrial Disputes Act, 1947 referred the following dispute to this Tribunal for adjudication :

"Whether the action of the management of Eastern Railway in removing Shri Sasti Saha, ex-lifter, Ticket No. MR-1540 w.e.f. 8-12-86 is legal and justified ? If not, to what relief the workman is entitled to?"

2. The instant reference has arisen at the instance of one Sasti Saha, an employee of the Eastern Railway whose service was terminated.

3. The workman's case is that he was in employment of the Eastern Railway from 1966 to 8-12-1986 and at the time of his dismissal from service he was working as a Lifter, holding Ticket No. MR-1540. He was charged for remaining absent from duty without taking any leave from 4-8-1985. The workman alleges that the absence was caused due to death of his only son on 12th July, 1984. As he was overwhelmed by the shock, his relative got him admitted at the Barhamore Mental Hospital and since he became mentally and physically wreck, he could not send any intimation to his employer. After his improvement he was released from the said hospital and fit certificate was issued in his favour. He came to join his duties thereafter but he was not allowed to do so. Since then he preferred appeal after appeal but actually nothing took place. He applied to the Chief Personnel Officer, Eastern Railway also without any effect. He thereafter approached

the Regional Labour Commissioner (Central), Calcutta and at his intervention conciliation proceeding started but that having ended in failure, the matter was referred to the Central Government which made this reference and send the same for adjudication by this Tribunal. The workman also made an appeal to the Secretary of the General Manager, Eastern Railway for intervention without any result. He also applied to the General Manager for his reinstatement on compassionate ground. General Manager's office directed him to send a declaration that he would not claim any arrear wages, which he did. The General Manager's office thereafter rejected his prayer. The grievance of the workman is that the railway authority was not justified in refusing to accommodate him after inviting him to give a declaration foregoing his arrear wages. The workman accordingly prayed that necessary orders may be passed so that hearing by the General Manager may be resumed without going into the details of the matter which has already been probed and discussed in the Assistant Labour Commissioner's Office. He also prayed for justice and equity.

4. In the written statement filed by the Eastern Railway it is alleged that the workman evaded service of the charge-sheet issued under D/A proceeding prior to the start of the said proceeding by the employer. It is also alleged that the punishment of removal from service inflicted upon the workman was justified as the workman absented himself from duty without any notice on several occasions in the past. It is also alleged that the punishment was inflicted by the General Manager, Eastern Railway after due consideration of the appeals by the workman and after strictly following the procedure laid down in the Discipline & Appeal Rules, 1968. It is also submitted that the workman was rightly dismissed from service on account of unauthorised absence from duty for long spell of time. Management accordingly prayed for dismissal of the claim of the workman.

5. Only one witness, namely, the concerned workman, was examined on his behalf in this case and one document, namely, a certificate issued by the Medical Officer was filed by the workman before the Tribunal. Neither any witness was examined, nor any document was proved on behalf of the management in this case.

6. It appears from record that after cross-examination of the workman, no further step was taken by the Eastern Railway in the matter. Tribunal granted series of adjournments for enabling the Eastern Railway to contest the matter, but none appeared on its behalf to do the same. In the aforesaid circumstances, the matter is being disposed of upon consideration of the evidence on record and upon hearing the learned Advocate appearing for the workman in the matter.

7. Though it is difficult to understand the case of the concerned workman from his written statement, still then, from his evidence it appears that he joined the Eastern Railway on 14-3-1966 and his Ticket Number was MR-1540 and at the time of termination of his service he was a Lifter. It further appears from his evidence that in July, 1984 he went to his village to see his ailing son and he died soon thereafter. He came back to his place of work to inform the authority about the loss of his son. He was allowed leave to go back to his village for performance of last rites and he returned back and joined his duties and thereafter by the week-end he went back to his village. Being griefstricken he lost his mental balance and failed to inform the management about his mental derangement. He was taken to Barhamore Mental Hospital for his treatment. By the time he recovered from his illness and relieved from the hospital about 18 months had passed. He obtained a fit certificate from the hospital for joining in service and as he wanted to report to his duty, he was not allowed to do so.

8. I have already stated that neither any witness, nor any document was proved on behalf of the Eastern Railway to prove its case. From the cross-examination of the concerned workman (WW-1) it will appear that suggestion was given to him that the disciplinary proceeding was started against him. The witness has unequivocally denied that he knew about the disciplinary proceeding. He also denied emphatically that any notice of such proceeding was

ever served upon him. He also denied that any notice was refused by him.

9. In the aforesaid circumstances, the conclusion is inescapable that the service of the workman was terminated as he remained absent from duty for about 18 months without any intimation to the management. The workman has stated in his evidence that he was a permanent staff of the Eastern Railway and that point having not been challenged in his cross examination, there cannot be any doubt that he had permanent status in the Eastern Railway. The Eastern Railway having not proved by any evidence what-so-ever that any disciplinary proceeding was started against the concerned workman or that the principle of natural justice was followed in the said proceeding or that the report of the said proceeding was made over to him and the proceeding itself being absent, the Tribunal is not in a position to hold that any proper disciplinary proceeding was drawn-up or that he was justifiably removed from the service on the basis of any such proceeding.

10. It is needless to point out that a government servant, how-so-ever serious charge may be levelled against him, cannot be dismissed from service without holding an enquiry after giving him opportunity of being heard and to make his defence in the said proceeding. In the instant case, the workman has denied categorically in his evidence that no notice of any proceeding was served upon him. I have already stated that the Eastern Railway has failed to prove that any such proceeding was initiated against the concerned workman. Even assuming that any such proceeding was started, still then, such proceeding must have been bad as the principle of natural justice was not complied with. The concerned workman having thus succeeded in proving that he was dismissed from service without holding any enquiry/departmental proceeding against him or even if held, compliance of the principles of natural justice was not made that the said dismissal must be said to be illegal and void. The workman shall accordingly be entitled to get reinstatement in service. The workman, however, having been admittedly absenting from duties for one and half year unauthorisedly without taking leave and he having admitted before the General Manager that he would not claim any back wages if he is reinstated in service that I think he shall be debarred from claiming the same till 28-10-1993 i.e. the date of reference of this case, even though he is reinstated in service.

11. The action of the management of Eastern Railway in removing Shri Sasti Saha, Ex-Lifter, Ticket No. MR-1540 with effect from 8-12-1986 was accordingly neither legal nor justified. The workman shall be entitled to reinstatement in service without loss of his seniority or continuity in service and he shall be entitled to back wages from 29-10-1993.

This is my Award.
Dated, Calcutta,
The 2nd April, 1998.

A. K. CHAKRAVARTY, Presiding Officer

नई दिल्ली, 23 अप्रैल, 1998

का.आ. 912.—श्रौतोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एवं रेलवे, बरेली के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुष्ठान में निर्दिष्ट श्रौतोगिक विवाद में केन्द्रीय सरकार श्रौतोगिक प्रधिकरण, कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 22-4-98 को प्राप्त हुआ।

[संख्या एल-41012/115/94-आई.आर (बी-1)]
पी.जे. माईकल, डैस्क अधिकारी

New Delhi, the 23rd April, 1998

S.O. 912.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure, in the industrial dispute between the employers in relations to the management of N.E. Rly., Bareilly and their workman, which was received by the Central Government on the 22nd April, 1998.

[L-41012/115/94-IR(B.I.)]

P. J. MICHAEL, Desk Officer

ANNEXURE

BFORE SHRI B. K. SRIVASTAVA, PRESIDING OFFICER CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT DEOKI PALACE ROAD, PANDU NAGAR, KANPUR

INDUSTRIAL DISPUTE NO. 91 OF 1995

In the matter of dispute between :

Ugam Prasad C/o B. D. Tiwari, 96/196 Roshan Bajaj Lane, Ganesh Ganj, Lucknow.

And

The District Electrical Engineer (Workshop), N. E. Rly., Izzatnagar, District Bareilly.

APPEARANCE :

Shri P. K. Tiwari for the Workman,
Km. Qmar Jhan for the Management

AWARD

1. Central Government Ministry of Labour New Delhi vide its Notification No. L-41012/115/94 dated 19-7-1995 has referred the following dispute for adjudication to this Tribunal :

“Whether the action of the management of N. E. Rly., Bareilly in terminating the services of Shri Ugam Prasad, substitute Khalasi w.e.f. 18-5-1985 is just and legal? If not, to what relief the workman is entitled to?”

2. Earlier in this case a no claim Award was given by this Tribunal on 13-12-1995. On the application of the workman Ugam Prasad the Ex-Parte Award was set aside on 20-6-1996.

3. The case of the concerned workman is that he was engaged as a substitute Khalasi on 19-11-1983 under Electrical Engineer (Workshop) Izzatnagar Bareilly of the opposite party N. E. Rly. He continuously worked upto 17-5-85. In this way he has completed more than 240 days in a year. As no retrenchment compensation and notice pay was given his termination being in branch of provision of Section 25F I.D. Act is bad in law. Further juniors to him were again engaged but no opportunity was given

to him. Hence, there has been breach of provision of Section 25H. In this way his termination is bad in Law.

4. The case of opposite party is that earlier the concerned workman was engaged on 19-11-1983 for three months which was extended an other fifteen months by order dated 18-2-1984. There after he absconded. As his appointment for fixed period question of breach of provision of Section 25F does not arise. Nothing has been said about breach of provision of Section 25H.

5. In the Rejoinder nothing new has been alleged.

6. In support of his case the concerned workman Ugam Prasad examined himself as WW(1). Beside he has filed Ext. W-1 to Ext. W-21. In rebuttal the management has examined Narendra Kumar Grover Divisional Electrical Engineer.

7. There is Ext. W-1 the copy of engagement letter which goes to show that the concerned workman was engaged for 3 months there after he was again engaged for 15 months in continuation. From this it is become clear that the concerned workman was engaged for fixed term. On the face of this documentary evidence I am not inclined to believe the evidence of workman that he was not engaged for a fixed term. Accordingly it is held that the concerned workman was engaged for the fixed term. Hence, in view of specific provision of Section 2(oo) (bb) it will not be a case of retrenchment. Hence, his termination can not be said bad on this scope.

8. As regards second point it has already been noticed that in the written statement this fact has not been denied that juniors to him has been retained in service. When a fact is alleged in the claim and the same is not denied in the written statement it will be deemed that such statement is correct. Hence, on this basis alone it is established that new hands were engaged and the concerned workman was not given opportunity. Apart from this the concerned workman has stated this fact and the same has not been denied by Narendra Kumar Grover MW(1). Hence from this evidence too the case of the concerned workman is proved. Hence it is established that there had been breach of Section 25H I.D. Act.

9. Although Narendra Kumar Grover MW(1) has stated that the concerned workman has absconded the same has been denied by the concerned workman. The management ought to have file report about absconding of the concerned workman. In its absence I am not inclined to believe his bald statement. Accordingly it is held that the concerned workman has not absconded.

10. From the above discussion it will be evident that termination of concerned workman is bad being in breach of provision of Section 25H I.D. Act. Hence my award is that termination of concerned workman is bad in law and he is entitled for reinstatement without back wages.

B. K. SRIVASTAVA, Presiding Officer

नई दिल्ली, 17 अप्रैल, 1998

का०आ० 913.—श्रोतृयोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार वैकं आंक बड़ीदा के प्रबल्लन्तन के सम्बद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबन्ध में निर्दिष्ट श्रोतृयोगिक विवाद में केन्द्रीय राजकार श्रोतृयोगिक अधिकरण, कलकत्ता के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 16-4-98 को प्राप्त हुआ था।

[स० एल-12012/155/92-आई०आर०-(बी०-II)]
सनातन, डैस्क अधिकारी

New Delhi, the 17th April, 1998

S.O. 913.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Calcutta as shown in the Annexure in the industrial dispute between the employers in relation to the management of Bank of Baroda and their workman, which was received by the Central Government on 16-4-1998.

[No. L-12012/155/92-IR (B-II)]
SANATAN, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT CALCUTTA

Reference No. 52 of 1992

PARTIES :

Employers in relation to the management of Bank of Baroda

AND

Their workmen.

PRESENT :

Mr. Justice A. K. Chakravarty, Presiding Officer.

APPEARANCES :

On behalf of Management—Mr. D. P. Bose, Manager (Personnel) of the Bank.

On behalf of Workmen—Mr. A. Chatterjee, Joint Secretary of the Union.

STATE : West Bengal

INDUSTRY : Banking

AWARD

By Order No. L-12012/155/92-IR (B-II) dated 17-9-1992, the Central Government in exercise of its powers under Section 10(1)(d) and (2-A) of the Industrial Disputes Act, 1947, referred the following dispute to this Tribunal for adjudication :

"Whether the action of the management of Bank of Baroda, Girish Park Branch in discontinuing Special Allowance of Daftary paid to Shri Sitaram Routh w.e.f. 20-12-84 is justified? If not what relief the workman concerned is entitled to?"

2. It is a simple case where the workman's Special Allowance of Daftary was suddenly discontinued by the management of Bank of Baroda.

3. The union's case in this matter is that the concerned workman Sitaram Routh was receiving Special Allowance of Daftary with effect from 20-12-1984 on permanent/regular basis without any break, uninterruptedly and also during the leave period. The present Daftary Allowance amounts to Rs. 119. The Special Allowance payable to the subordinate staff are part of the pay for the purpose of

calculation of Dearness Allowance, House Rent Allowance and superannuation benefits in terms of the industry-wise bipartite settlement. The Special Allowance of Daftary was given to the workman in terms of the memorandum of settlement dated 18-4-1984. On 19-12-1991 i.e. after 7 years from the time when the Special Allowance was sanctioned, the Manager of the Girish Park Branch of the Bank by its letter No. GPK/STF/401 dated 19-12-1991 informed the workman that anomaly exists in the assignment of duties in the year 1984 and it was accordingly necessary to rectify the same. The workman protested against the same by his letter dated 19-12-1991. On 24-11-1991, however, the management issued another letter to the workman informing him that he has been assigned the duties of Hundi/Bill Collector with effect from 24-12-1991 and he will be paid Special Allowance of Rs. 101 per month. The union protested against the action of the Branch Manager for reduction of Special Allowance without any effect. The present reference has arisen on the failure of the conciliation proceeding. The union has alleged that the aforesaid action on the part of the management is hit by Section 9-A of the Industrial Disputes Act, 1947. The union accordingly prayed for declaration of the action of the management as improper, unjust and unlawful and to restore the payment of Daftary Allowance to the concerned workman with effect from 1-1-1992 with all consequential benefits.

4. The management of Bank of Baroda in its written statement has alleged that assignment of additional duties attracting Special Allowance is normally neither refused to any subordinate staff, nor it is accepted merely because of statutory compulsion. Special Allowance is paid for carrying out additional duties as per existing settlement and that it cannot be a part of service condition and therefore Section 9-A of the Industrial Disputes Act, 1947 is not applicable. The Bank has further alleged that the concerned workman was not eligible for assignment of duties on payment of Special Allowance on permanent basis. Management accordingly prayed for dismissal of the claim of the union.

5. In the rejoinder of the union, the allegations made by the management in its written statement is denied. It was further alleged that when Special Allowance is paid year by year and during the period of leave period, it becomes part of the service condition. The rest of the allegations made therein are merely reiteration of the statements made in its written statement.

6. Heard Shri A. Chatterjee, Joint Secretary of the union. The representative of the management was absent, nor had he taken steps when the matter was called for hearing. Since, however, both parties submitted written argument and since there is documentary and oral evidence on record, it is no use granting further adjournment for enabling the representative of the management to make further submission in the matter.

7. It appears from the record that the union has examined its only witness i.e. the concerned workman, Sitaram Routh. No witness, however, was examined on behalf of the management. It appears from the record that both sides have produced certain documents.

8. Admittedly, the concerned workman, namely, Sitaram Routh was directed to perform additional duties of Daftary with effect from 20-12-1984 and his initial Special Allowance was Rs. 66 per month which will appear from the letter of the management dated 19-12-1984, marked Ext. W-1 in this case. The next exhibit, namely, W-2, is the letter dated 19-12-1991 from which it will appear that the management informed Shri Routh that some anomaly while assigning duties attracting Special Allowance had occurred and that required rectification. Immediately on receipt of the said letter Shri Routh, by his letter dated 19-12-1991, protested against such proposal for withdrawal of Special Allowance by Ext. W-3. The union also, by its letter dated 19-12-1991, objected to such proposal of the management (vide Ext. W-4). The management, thereafter on 21-12-1991 informed the concerned workman that he was to perform duties of Hundi/Bill Collector and the Special Allowance will be Rs. 101 per month (vide Ext. W-5). The Bank also produced certain documents but those were not marked exhibits.

9. The facts, as I have stated earlier, are all admitted. Admittedly, the management by its letter dated 19-12-1984 offered the workman to perform additional duties of Daftary for which a Special Allowance was paid to him. At present the said amount of Special Allowance is Rs. 119 per month. It is also an admitted fact that the workman was informed for the first time on 19-12-1991 that some anomaly had occurred while assigning duties attracting Special Allowance to him and though the concerned workman raised objection on the same date by his letter, still then, the management by its letter dated 21-12-1991 assigned him the duties of a Hundi/Bill Collector carrying Special Allowance of Rs. 101 per month. Neither in the written statement of the management, not in the documentary or oral evidence the management of the Bank has explained how and in what manner the anomaly had occurred and why rectification was necessary. It, however, appears from the evidence of WW-1, Sitaram Routh, that one Pyari Mohan Mondal was placed as Daftary in his place and he was posted as Bill Collector. He, however, could not say how Pyari Mohan Mondal was placed in his place. He stated categorically in his evidence that he was senior to Pyari Mohan Mondal. He also stated that in the branch there were 10 sub-staffs initially and their number is nine now. Since he was seniormost among sub-staffs he was given Daftary Allowance. There being no evidence from the Bank to controvert the evidence of WW-1 and no documentary evidence is forthcoming that Pyari Mohan Mondal was senior to Shri Routh, concerned workman, that I am to hold that the management has failed to show any justification for removal of the concerned workman from his initial posting to the special allowance carrying post and placing a person junior to him in the said place and giving him a higher Special Allowance than the concerned workman which occurred due to his assignment as Hundi/Bill Collector.

10. Apart from the fact that the Bank has miserably failed to give any justification for replacement of the concerned workman by Pyari Mohan Mondal, the order itself by which the concerned workman was assigned the duties of Hundi/Bill Collector, carrying Special Allowance of Rs. 101 was itself wrong as the earlier letter of 1984 assigning him to perform the duties of Daftary, carrying Special Allowance of Rs. 119 was not cancelled. The non-cancellation of the order of 1984 shall create an anomalous position as it is not clear from the letter of 1991 whether the assignment, as per that letter, was in addition to the assignment made to the concerned workman in 1984.

11. Be that as it may, the workman having been receiving Special Allowance as Daftary, such allowance must come within the definition of 'wages' as defined in section 2(rr) of the Industrial Disputes Act, 1947. Payment of wages is a condition of service applicable to the workmen. It also comes under first item of the Fourth Schedule of the said Act. Under section 9A, no employer, who proposes to effect any change in the conditions of service applicable to any workman in respect of any matter specified in the Fourth Schedule, shall effect such change, (a) without giving to the workmen likely to be affected by such change a notice in the prescribed manner of the nature of the change proposed to be effected; or (b) within twenty-one days of giving such notice. When Special Allowance is paid year by year and during leave period, it becomes a part of the service condition of the workman and cannot be stopped without following the procedure laid down in section 9A of the Industrial Disputes Act, 1947 irrespective of the nature of the management's initial communica-

cation. Section 9A comes into operation the moment the employer proposes to change any condition of service of any workman and once this is done, 21 days notice is to be given to the workman. Reference may be made for the purpose to the case of Chandramalai Estate v. Workmen, reported in AIR 1960 SC 902. Neither of the two requirements as mentioned in section 9A of the Industrial Disputes Act, 1947 having been complied with in this case, the order dated 21-12-1991 was palpably illegal and void.

12. It appears from the schedule of the reference that 20-12-1984 has been stated to be the date when the Special Allowance was discontinued to the workman. It is nobody's case that Special Allowance of Daftary was discontinued with effect from 20-12-1984. The said discontinuance actually took place only from 1-1-1992.

13. So, upon consideration of the relevant facts and the points of law involved in this case, as discussed above by me, I am to hold that the action of the management of the Bank of Baroda, Girish Park Branch in discontinuing Special Allowance of Daftary paid to Shri Sitaram Routh with effect from 1-1-1992 was not justified. The management is directed to pay Special Allowance of Daftary to the concerned workman from 1-1-1992 with all consequential benefits upon adjustment of any amount which might have been paid to the concerned workman towards Special Allowance from that date.

This is my Award.

A. K. CHAKRAVARTY, Presiding Officer

Calcutta, the 1st April, 1998.

नई दिल्ली, 17 अप्रैल, 1998

कांग्रेस 914.—श्रीशोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार देना बैंक के प्रबन्धतन्त्र के सम्बन्ध नियोजकों और उनके कर्मकारों के बीच, अनुबन्ध में निविष्ट श्रीशोगिक विवाद में केन्द्रीय सरकार श्रीशोगिक अधिकारण, आमनमोल के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 16-4-98 को प्राप्त हुआ था।

[सं. एल-12012/356/92-आई-आर० (बी० II)]

सनातन, डेस्क अधिकारी

New Delhi, the 17th April, 1998

S.O. 914.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Asansol as shown in the Annexure in the Industrial Dispute between the employers in relation to the
1072 GI/98—14

management of Dena Bank and their workman, which was received by the Central Government on 16-4-1998.

[No. L-12012/356/92-IR(B-II)]
SANATAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, ASANSOL

Reference No. 18 of 1993

PARTIES :

Employers in relation to the management of Dena Bank.

AND

Their Workmen.

PRESENT :

Shri R. S. Mishra, Presiding Officer.

APPEARANCES :

For the Employers : Shri S. P. Ram, Manager (Personnel).

For the Workmen : Shri S. Chakravorty, Secretary of the Union.

INDUSTRY : Banking STATE : West Bengal
Asansol, the 2nd April, 1998

AWARD

By Order No. L-12012/356/92-IR(B-II) dated 5-3-93 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

“Whether the action of the management of Dena Bank, in not empanelling and regularising the services of Sri S. K. Dutta of Dena Bank, Durgapur Branch is justified ? If not what relief the workman is entitled to ?”

2. The union's case :—The workman named Sudhansu Dutta has been working as a part-time worker on daily wage basis in the branch of the Dena Bank at Durgapur since the year 1987. Works assigned to him include daily routine work and jobs to be performed against temporary vacancy. The workman had been interviewed by the management of the Bank for empanelment/appointment as sub-staff in June and July, 1988. But inspite of having been found suitable, he was not empanelled/appointed on the ground that his case was not sponsored by the Employment Exchange. The provision

of the Employment Exchange (Compulsory Notification of Vacancies) Act, 1959, is not applicable to his empanelment|appointment as sub-staff. The management has been resorting to unfair labour practice, within the meaning of item No. 10 of the Fifth Schedule in the Industrial Disputes Act, 1947, by continuously keeping the workman as a part-time worker.

3. The management's version :—The reference is not maintainable and this Tribunal has no jurisdiction to entertain the reference, because the so-called part time employee does not come within the meaning of "workman" and because there is no "industrial dispute", as defined in the Industrial Disputes Act. The so-called workman named Sudhansu Dutta was never engaged by the Bank at any point of time. He had been actually working as Canteen-boy, having been employed in the canteen run by the staff of the Bank. The Bank has got nothing to do with the canteen. However, it is true that Sudhansu Dutta was called for an interview conducted by the management for empanelment|appointment as a sub-staff and he was found suitable. But his case was not sponsored by the Employment Exchange and so the question of giving employment to him could not be given due consideration. It is not permissible for the bank to keep him in the panel for employment as sub-staff, unless his name is sponsored by the Employment Exchange.

4. The management filed seven documents such as Exts. M-1 to M-7. Ext. M-1 is a circular letter dated 6-1-82 issued by the Bank's management for strict compliance of instructions contained in letter No. 1/2/1/77-IR dated 30-9-1978 of the Ministry of Finance, Department of Economic Affairs, Banking Division. The instruction of the Government of India was that all recruitments to the subordinate cadres in Banks must be made only through Employment Exchanges. Ext. M-2 is another circular dated 18-11-1980 issued by management of the Bank conveying clarification by the Government that although the Employment Exchanges (Compulsory Notification of Vacancies) Act, 1959 is not applicable to employment for doing unskilled office work, recruitment to such posts must be done only through medium of Employment Exchanges, because of strict instruction to that effect by the Government of India. Ext. M-3 is a reminder to the Asstt. General Manager of the Bank at Calcutta, by the Head Office for sending certain informations about budli|temporary workers. Ext. M-4 is a guideline dated 17-11-1988 issued by the Head Office of the Bank regarding preparation and approval of panels for appointment in subordinate cadre. One of the guidelines is that separate panel should be prepared for waterboy-cum-sepoy and separate panel for part-time cleaner. Further connected guideline is that the Employment Exchange should be requested to sponsor sufficient

number of candidates for each category. Guideline No. 2 is still all vacancies of budli|temporary|part-time|full time subordinates are to be notified to the concerned District or local Employment Exchange. Ext. M-5 is a letter from the Regional Office of the Bank at Calcutta to the Head Office, despatching thereunder statement of temporary|part-time workers in the Bank's Calcutta Region. Ext. M-6 is an extract of the Bi-partite settlement dated 19-10-1966 between the union of the employees of the Bank and the management of the Bank. Ext. M-7 is another extract of the said Bi-partite settlement. The union produced Exts. W-1, W-2 to W-2/682, W-3 and W-4. Material documents are Exts. W-2 to W-2/682 and Ext. W-4. Exts. W-2 to W-2/682 are vouchers showing payment made by Durgapur Branch of the Bank directly to the workman named Sudhansu Dutta for part-time works done by him in the Bank on different dates starting from 7-9-1987 to 31-12-1991. Ext. W-4 is a letter issued by Branch Manager of the Bank at Durgapur to the Asstt. General Manager of the Bank at Calcutta informing that the workman was engaged in the branch for various works in the Bank on different dates during the period from 7-9-1987 to 6-9-1988.

5. The documents filed by the union are sufficient to establish that the concerned workman had been engaged as part-time worker in the Durgapur Branch of the Bank on various dates during the period from 7-9-1987 to 31-12-1991 and payment of wages had been made to him under the vouchers marked Exts. W-2 to W-2/682. According to the Bank's admitted case, the workman was called to an interview for empanelment|appointment as sub-staff and though he was found suitable, his case could not be considered for employment because his name was not sponsored by the employment Exchange.

6. The basic point to be now considered is whether the workman should not be empanelled for employment as sub-staff simply because his name has not been sponsored by the Employment Exchange. It is the admitted position that his name was not sponsored by the Employment Exchange.

7. The initial instruction by the Government of India to all the Banks and financial institutions was given on 30-9-1978 and the instruction was that all recruitments in the subordinate cadres should be made only through the medium of Employment Exchange. The instruction was subsequently repeated by the Government of India. The Head office of the Bank issued instructions to all the Regional Offices and the Branches for strict compliance with the instructions of the Government of India. The guidelines dated 17-11-1988 issued by the Head Office is that even part-time vacancies should be notified to the concerned District or local Employment Exchange. These executive instructions are found from the documents filed by the Bank.

8. The management has pleaded helplessness in empanelling the workman for appointment as sub-staff, because of such executive instructions. But what happened at the time of inducting him as a part-time worker in September, 1987? If the instructions were to be strictly followed, he could not have been engaged as part-time worker without sponsoring by the local Employment Exchange at Durgapur. He had been engaged as part-time worker in the Bank's branch at Durgapur on 683 days, as disclosed by Exts. W-2 to W-2/682, during the period from 7-9-1987 to 31-12-1991. Admittedly he had been so engaged, even though he was not sponsored by the local Employment Exchange. Obviously violation of the executive instructions for filling up any vacancy in the subordinate cadre, had taken place in September, 1987, when the concerned workman was for the first time engaged as a part-time worker. The Bank opted to violate these executive instructions in September, 1987 and now the Bank says that there would be contravention of the executive instructions if the said workman is empanelled for employment as a sub-staff.

9. The poor workman spent valuable years of his life in giving services to the Bank as a part-time worker. At that time he was not informed by the Bank that he ought to get his name sponsored by the local Employment Exchange. He gave his services being totally ignorant that his name should have been sponsored by the Employment Exchange even for the part time work. Now in effect, the Bank proposes to throw out the worker on the ground that his name has not been sponsored by the Employment Exchange. Such an eventuality is against social justice and contravenes all norms of natural justice.

10. In consequence, now it is not permissible to the Bank for adopting the stand that without sponsoring from the Employment Exchange the workman cannot be empanelled for appointment as sub-staff. Because of the peculiar background in this particular case, the workman must be empanelled/appointed as sub-staff, even though his name has not been sponsored by the Employment Exchange.

11. Award :—

The action of the management of Dena Bank in not empanelling the concerned workman named Sudhansu Dutta for appointment as sub-staff is not at all justified. Direction to the management is to immediately empanel him for appointment as sub-staff and to give him the said employment in the next available vacancy.

Reference answered accordingly.

R.S. MISHRA, Presiding Officer

नई दिल्ली, 22 अप्रैल, 1998

का.आ. 915.—ग्रौषोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार यूको बैंक के प्रबन्ध तंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबन्ध में निर्दिष्ट ग्रौषोगिक विवाद में केन्द्रीय सरकार ग्रौषोगिक अधिकारण II, मुम्बई के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-4-98 को प्राप्त हुआ था।

[सं. एल-12012/275/96-आईआर. (बी-II)]
सनातन, डैस्क अधिकारी

New Delhi, the 22nd April, 1998

S.O. 915.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, II Mumbai as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of UCO Bank and their workman, which was received by the Central Government on 21-4-1998.

[No. L-12012/275/96-IR (B-II)]
SANATAN, Desk Officer.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL, NO. II, MUMBAI

PRESENT :

SHRI S. B. PANSE, PRESIDING OFFICER.
REFERENCE NO. CGIT-2/52 OF 1997.
EMPLOYERS IN RELATION TO THE
MANAGEMENT OF UCO BANK.

AND

THEIR WORKMEN

APPEARANCES :

For the Employer : Mr. K. L. Malkar, Representative.

For the Workmen : Mr. Krishna Kadam, Representative.

Mumbai, dated, 20th March, 1998.

AWARD

1. Government of India, Ministry of Labour by its order No. L-12012/275/96-IR (B-II), dated 26-9-1997, had referred to the following Industrial Dispute for adjudication :—

“Whether the action of the management of Zonal Office, UCO Bank, Mumbai in awarding punishment of withdrawal of Spl. Allowance for a period of nine months to Shri T. H. Tekchandani, Spl. Asstt. at Madame Cama Road, Branch is legal and

justified ? If not, to what relief the said workman is entitled ?"

2. The Secretary of UCO Bank Staff Union filed a statement of claim at Exhibit-4. It is contended that Mr. T. H. Tekchandani, Special Assistant was working in the Madame Cama Road Branch of the Bank. He was issued with a charge-sheet on August 12, 1992. It is alleged that on July 17, 1992 he left the Office without seeking any permission from the Manager or Assistant Manager at about 4.30 p.m. A note to that effect was inserted in the muster against his name which was duly authenticated by two officers. It is submitted that on 18th August, 1992 it is alleged that the workman saw a remark against his name in the muster sheet. Then he picked up quarrel with the officers and torn off the relevant portion in the manner. He threatened the officers then. It is pleaded that the domestic inquiry was held against the workman. It is pleaded that the inquiry was against the Principles of Natural Justice and the findings of the inquiry officers are perverse.

3. The Union asserted that the points raised by the workman in the inquiry and before the Appellate Authority were not considered at all. It is averred that the Appellate Authority did not grant a personal hearing. It is submitted that for all these reasons it has to be said that the inquiry was against the Principles of Natural Justice. It is averred that the evidence on the record was not properly appreciated by the inquiry officer. It is submitted that under such circumstances the punishment which was awarded to the workman is improper and it has to be set aside. It is averred that the Appeal was not heard within two months as per the Bipartite settlement. It is therefore prayed that the punishment being inherently bad and perverse be set aside and the special allowance which was unfairly deducted from the salaries of the worker may be refunded to the workman.

4. The management resisted the claim by the Written Statement (Exhibit-5). It is averred that the inquiry which was conducted against the workman was as per the Principles of Natural Justice and the findings of the inquiry officer are proper. It is averred that in terms of clause-19. 7(I) of the Bipartite settlement dated 19-10-1996 the act of workman constituted a minor misconduct as he failed to show proper consideration, courtesy or attention towards officers, customers or other employees of the Bank, unseemly or unsatisfactory behaviour while on duty. It also constituted a major misconduct as he wilfully damaged or admitted to cause damage to the property of the bank or the customer. The management pleaded that in a domestic inquiry the charges which were levelled against the workman was duly proved. The workman was given fair opportunity in the inquiry. He examined the witness. He made submissions. He and thereafter an inquiry officer had given a report. It is averred that the disciplinary authority and, the Appellate authority considered the evidence and the submissions made by the workman and had passed a proper order. The disciplinary authority by way of punishment withdrawn the special allowance of the workman for a period of one year and it was

reduced to nine months by the Appellate authority. It is submitted that the punishment which was awarded is proper. It is prayed that the reference may be answered accordingly.

5. The workman filed a rejoinder at Ex.-6. It is averred that the workman left the branch at 4.30 p.m. on 17-7-1992 when the Manager and Assistant Managers were not in the premises. The employees ask the colleagues before leaving the premises in such a case. It is submitted that insertion of a note was not at all necessary because the management should have issued a letter and asked the explanation on the next date. It is submitted that the act of insertion of note on the muster by their officers was an attempt to provoke the workman unnecessarily. The union reiterated the contention taken by him in the Statement of Claim.

6. The issues that fall for my consideration and my findings there on are as follows :

Issues	Findings.
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1. Whether the domestic inquiry which was held against the workman was against the Principles of Natural Justice? No.
2. Whether the findings of the inquiry officer are perverse? No.
3. Whether the action of the management of Zonal Office UCO Bank, Mumbai in awarding punishment of withdrawal of special allowance for a period of 9 months to workman is legal and justified? Legal and justified.
4. If not, to what relief the said workman is entitled to? Does not survive.

REASONS

7. At the outset it must be mentioned here that the union examined Shankar Farab and Vasant Chalke Exhibit-8 & 9 respectively. From their testimony it does not reveal that the inquiry which was held against the workman was against the Principles of Natural Justice.

8. After perusal of the written argument and the contention taken in the statement of claim the main contention of the union appears to be that in the chargesheet itself there is a mention that the note is duly authenticated by two officers. This act is against the Principles of Natural Justice. I am not inclined to accept this. This is not a charge under the Indian Penal Code or any other Code. It is indeed a domestic inquiry. Detailed facts are given enumerating how these acts can be called as a minor and major misconduct under the Bi-partite settlements. The charge-sheet is very clear in terms. I do not find that it violated any established principles,

9. Eventhough there are no other allegations in the Statement of claim for holding a domestic inquiry is against the Principles of Natural Justice. On perusal of the inquiry proceedings I do not find that any injustice is caused by the management to the workman or in other words by the inquiry officer to the workman holding it that the inquiry was against the Principles of Natural Justice. The workman understood the charge which was levelled against him, he participated in the inquiry, the cross examined the management witness and examined the witnesses. The muster roll which was the main document was on the record which was forwarded by him and which made his submissions before the inquiry officer. All these facts clearly go to show that the domestic inquiry which was held against the workman was as per the Principles of Natural Justice.

10. The inquiry officer had given his report which is at Exhibit-7/5. After perusal of the inquiry report it reveals that the inquiry officer had considered all the evidence which was held before him. The evidence which was given on behalf of the management viz. that of Bagi, A. S. Mansole and Suresh Dholakia was properly considered. He also considered the evidence of the workman side viz. that of Parab, Chalke and of Surve. I do not find any incorrectness in appreciating the evidence. The inquiry officer had given cogent reasons for coming to the conclusions. I find the findings given by him are perfectly legal and proper.

11. It can be seen that the Appellate authority had considered the inquiry proceedings. He had considered the submissions made by the union and then passed an order Exhibit-7/7. It can be seen that he had reduced the punishment which was awarded to the workman by the disciplinary authority. I do not find any incorrectness in the same.

12. Normally first two issues are treated as preliminary issues. Here I have also treated them as preliminary issues. But as the findings are in favour of the management there is no need to give an opportunity to the management to lead evidence. It can be seen that in this case the union and the management had chosen to lead evidence before the Tribunal. Infact there was no need to do so. But as they have lead evidence I intend to discuss it again. Infact such an evidence is necessary when the Tribunal comes to the conclusion that the inquiry which was held against the workman was against the Principles of Natural Justice and or the findings of the inquiry officer are perverse.

13. The union examined Parab (Exhibit-8). He affirmed that on 18-7-92 the workman entered into the bank, saw the muster and made inquiries regarding the remarks in the muster with Dholakia. It is corroborated by Chalke (Exhibit-9) Head peon of the bank. Both of them affirmed that they did not see the workman tearing the portion of the muster. But it is not disputed by both of hem that there was a quarrel between worker and the officials. It is also not in dispute that there was an endorsement against the workers name in the register. The worker had made queries with Dholakia regarding the same. The head peon admits the position after exchange of words there was a tearing of the muster. Eventhough these

two witnesses had denied the position tha the worker had torn the muster now the circumstances speak against him.

14. Bagi (Exhibit-11) Assistant Manager, Mangale (Exhibit-12), Assistant Manager and Suresh Dholakia (Exhibit-13) Assistant Manager corroborates other and affirmed that on 18-7-92 at about 10.50 a.m. the worker while signing the attendance register show the remarks against him and started making queries with the officer and picked up quarrel with them. They affirmed that the muster was torn by the worker. Taking into consideration the fact that the remark was against the worker the fact that the worker started quarrelling with the officers clearly suggests that he must have torn the registers. It is tried to suggest that how the portion connecting the workman could be torn and not the other part. That has no relevancy in it. It is tried to argue on behalf of the worker that as the worker was so disturbed that it was impossible for him to tear that much portion only. What is material is tearing of the muster and not exact portion. It can be further seen that as the worker was offended due to the remark he must have managed to remove that much portion only. So far as leaving of the branch office at 4.30 p.m. on 17-7-92 is not disputed by the worker. It find placed in the rejoinder of the workman I therefore find that the evidence which was lead before the tribunal also clearly suggests that the charge which was levelled against the workman is properly proved.

15. It is tried to argue on behalf of the workman that the punishment which was awarded is disproportionate to the charges proved. I am not inclined to accept this. The Appellate authority had considered the punishment which was awarded by the disciplinary authority and had reduced it from 12 months to 9 months. There is no reason for disturbing the punishment. Under such circumstances I record my findings in the issues accordingly and pass the following order:

ORDER

The action of the management of Zonal Office, UCO Bank, Mumbai in awarding punishment of withdrawal of Special Allowance for a period of nine months to Shri T. H. Tekchandani, Special Assistant of Madame Cama Road Branch is legal and justified.

S. B. PANSE, Presiding Officer

नई विली, 22 अप्रैल, 1998

का.आ. 916.— श्रोदोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के प्रत्युत्तर में, केन्द्रीय सरकार चैक आफ महाराष्ट्र के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबन्ध में निर्दिष्ट श्रोदोगिक विवाद में केन्द्रीय सरकार श्रोदोगिक अधिकरण, II, मुम्बई के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार की 21-4-98 को प्राप्त हुआ था।

[सं. एल-12012/405/96-आई.प्रार.(बी.-II)]
सनातन, डॉक्टर श्रद्धार्गी

New Delhi, the 22nd April, 1998

S.O. 916.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, II Mumbai as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Bank of Maharashtra and their workman, which was received by the Central Government on 21-4-1998.

[No. L-12012/405/96-IR (B-II)]
SANATAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. II, MUMBAI

PRESENT :

Shri S. B. Panse, Presiding Officer.

Reference No. CGIT-2/42 of 1997

Employers in relation to the management of Bank of Maharashtra

AND

Their Workmen.

APPEARANCES :

For the Employer—Mr. R. G. Londhe, Representative.

For the Workmen—Mr. S. T. Sahasrabudhe, Representative.

Mumbai, the 20th February, 1998

AWARD

The Government of India, Ministry of Labour by its Order No. L-12012/405/96-IR (B-II) dated 15th September, 1997, had referred to the following industrial dispute for adjudication :

"Whether the action of the Bank of Maharashtra in not allotting the post of second cashier to Shri J. P. Deo w.e.f. 26-10-93 and giving it to one Shri Nagarkar as is legal, proper and justified ? If not, what relief the workman is entitled to ?"

2. The General Secretary of the Union of Maharashtra Bank Employees have filed a statement of claim at Exhibit-3. It is pleaded that J. P. Deo who is the concerned workman is a member of the union. He was appointed as a clerk on 1-12-76 at Allapali Branch in Chandrapur District. On 15-10-88 a charge sheet was issued to him under Clause 19.5 (j) of the Bipartite Settlement. It was alleged that his acts were prejudicial to the interest of the bank. In departmental enquiry the disciplinary authority passed an order of dismissal. He preferred an appeal in which the punishment was reduced to stoppage of one increment holding him guilty of gross negligence. It was on 18-6-91.

3. The union pleaded that the post of a teller-cashier in-charge are the post of higher rank and allowance and those posts are allotted as per the terms of the settlement dated 13-4-87. One Mr. R. Y. Nagarkar is junior to the workman. On 25-10-93 post of senior cashier came in existence in the branch where the workman was working. It is asserted that as per the settlement he should have been allotted that post but the bank did not do so. He therefore made a representation to the bank but it was of no avail. He therefore raised an industrial dispute. It is prayed that it may be declared that the action of the management not allotting the post of second cashier w.e.f. 26-10-93 to Deo is not legal and justified. It may be further directed that he is entitled to all allowance from the above said date alongwith 18% interest per annum with other exemplary costs.

4. The bank resisted the claim by the written statement Exhibit 10. It is averred that in a domestic inquiry the workman was found guilty. The Appellate authority after going through the record and the submissions of the work-

man that lenient view may be taken and the punishment may be reduced, ordered stoppage of four increments in place of dismissal. It is averred that the workman is not entitled to any of the reliefs as claimed.

5. The issues that fall for my consideration and my findings there on are as follows :

ISSUES

FINDINGS

1. Whether the action of the Bank of Not legal, Maharashtra in not allotting the post proper and of second cashier to Shri J. P. Deo justified. w.e.f. 26-10-93 and giving it to one Mr. Nagarkar is legal and justified ?
2. What relief the workman is entitled As per to ? order.

REASONS

6. Jayant Pundlik Rao Deo (Exhibit 12) the workman deposed for himself and nobody lead oral evidence on behalf of the management. They relied upon the documents on the record.

7. Admitted facts can be narrated in nut-shell. Deo joined the duties as a clerk on 1-12-76. R. Y. Nagarkar joined the duties on 26-4-79. The seniority list of the employees prepared by the bank for the allotment of posts carrying special allowance in Chandrapur city is at Exhibit-17. It clearly speaks out Deo is senior to Nagarkar.

8. The bank issued a charge-sheet (Ex-14) in Clause-19.5 (j) of the workman on 15-10-88. It deals with acts prejudicial to the interest of the bank likely to involve bank in serious loss. After the domestic inquiry the disciplinary authority passed an order of dismissal finding the workman guilty on 13-1-91. He was actually dismissed from service on 21-1-91.

9. Being aggrieved by the dismissal order the workman preferred an appeal to the Appellate authority (Appeal Memo-Exhibit-19). The Appellate Authority after detailed reasoning came to the conclusion that the workman is guilty of gross-negligence and awarded the punishment of stoppage of four increments on 18-6-91 (Exhibit-15). On its basis he was reinstated on 29-6-91, at Dewai Govindpur Branch, Chandrapur.

10. The post of second cashier came into existence on 25-10-93 in that branch. It was not allotted to the workman but to Nagarkar. He made representations to the bank on 12-9-94 and 9-1-95 (Exhibit-16 and 18) respectively for allotment of the post of senior cashier to him on the basis of the settlement dated 13-4-87 (Exhibit-13).

11. Clause (ii) of the procedure for allotment of allowance carrying posts mentioned in the settlement dated 13-4-87 reads as follows :

'An employee who has been punished for acts of minor misconduct shall not be eligible to claim any allowance carrying post for a period of one year from the date of the order. Similarly an employee who has been awarded penalty for acts of gross misconduct shall not be considered eligible for any allowance carrying posts for a period of 2 years from the date of the order. An employee whose allowance is withdrawn permanently by way of disciplinary action may be considered eligible for any other allowance carrying posts after two years on the basis of 'City Seniority'.

Explanation—Offences like cheating, falsification of accounts, forgery, fraud, misappropriation, theft involve the moral turpitude.

12. The workman was punished by the Appellate authority for misconduct on 18-6-91. It is therefore argued on behalf of the workman that he became entitled for the post after two years that is on 18-6-93. The post of second cashier came in existence on 25-10-93. It is therefore he is entitled to the same. On the other hand the Learned Representative for the management argued that the workman was found guilty for the charges of moral turpitude and therefore he is not entitled to the post of allowance carrying post. He made these submissions on the basis of the charge sheet which was issued to him. I do not find any merit in it.

It is because the Appellate authority while setting aside the order of disciplinary authority came to the conclusion that the workman is guilty of gross negligence and he awarded the punishment. In his reasoned order (Exhibit-15) he nowhere stated that the workman is involved in a major misconduct which can be termed as a moral turpitude. Infact he nowhere said anything regarding moral turpitude. The bank wants to draw inference of amoral turpitude on the basis of the chargesheet which was issued to the workman. But looking to the order of the Appellate authority it has to be said that at no stretch of imagination it can be said to be a case of moral turpitude but at the most it can be said to be an Act of gross negligence. These are not my findings. These are the findings of the Appellate authority. Now what is to be seen whether in such a case the workman becomes entitled for the post carrying special allowance. The answer is in the affirmative on the basis of the settlement dated 13-4-87 which I have quoted above. There is no other reason given by the bank for not allotting the post to him. Naturally Deo is entitled for the post of second cashier which came into existence on 25-10-93 and was allotted to Nagarkar on 26-10-93. Infact on that day the workman was eligible for getting that post.

13. The workman is not given the post of second cashier from 26-10-93, for the reasons stated above he is entitled for that post from that day. In other words now he is entitled for the allowance of that post from that day. It is argued on behalf of the worker that the management had with predetermined mind had withheld that post to the workman. I find merit in it. Under such circumstances the workman is also entitled for 6% interest p.a. on the due amount from 26-10-93 till the dues are paid to him. under such circumstances I record my findings on the points accordingly and pass the following order :

ORDER

The action of the Bank of Maharashtra in not allotting the post of second cashier to Shri J. P. Deo w.e.f. 26-10-93 and giving it to one Shri Nagarkar is not legal, not proper and not justified.

The management is directed to pay the special allowance of a second cashier to the workman w.e.f. 26-10-93 with 6% interest per annum on the due amount till its payment.

S. B. PANSE, Presiding Officer

नई दिल्ली, 22 अप्रैल, 1998

का.आ. 917—ओद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार टेलीकॉम डिस्ट्रीब्यूट मैनेजर, जलगांव के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट ओद्योगिक विवाद में ओद्योगिक अधिकरण-2, मुम्बई के पंचाट को प्रकाशित ठाकरती है, जो केन्द्रीय सरकार को 21-4-98 की प्राप्त हुआ था।

[सं. एन-40012/176/96-आई० आर० (डी.प०)]
के.बी.बी. उण्णी, डैम्प्स अधिकारी

New Delhi, the 22nd April, 1998

S.O. 917.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal 2, Mumbai as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Telecom District Manager, Jalgaon and their

workman, which was received by the Central Government on 21-4-1998.

[F. No. L-40012/176/96-IR(DU)]

K.V.B. UNNY, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. II MUMBAI

PRESENT

SHRI S. B. PANSE

Presiding Officer

Reference No. CGIT-2/7 of 1998

Employers in relation to the Management of
Telecom. Dist. Manager

AND

Their Workmen

APPEARANCES :

For the Employer : Mr. S.R. Patil, Representative.

For the Workmen : Mr. M.S. Chaudhari Representative.

MUMBAI, dated 12th March, 1998

AWARD

The Government of India, Ministry of Labour by its Order No. L-40012/176/96-JR(DU), dated 3-2-1993 had referred to the following Industrial Dispute for adjudication :—

“Whether the action of the Telecom. Dist. Manager, Jalgaon under C.G.M., Maharashtra Telecom, Mumbai is not granting promotion from Gr. II to Gr. IV post of TOA (Phones) to Shri P.B. Tayade is legal and justified ? If not, to what relief the workman is entitled to?”

2. Today the Secretary for the union appeared and passed a surshis (Exhibit-6), that in view of the promotion given to Tayade the reference which is send to this Tribunal for adjudication may please be treated as closed. The representative of the management had no

objection for doing so. Under such circumstances I pass the following order :—

ORDER

The reference is disposed off as closed.

S. B. PANSE, Presiding Officer

नई दिल्ली, 23 अप्रैल, 1998

का. प्रा. 918.—श्रोतोगिक विवाद प्रधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार टेलीकाम डिवीजनल इंजीनियर, मुलतानपुर के प्रबन्धतांक के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट श्रोतोगिक विवाद में केन्द्रीय सरकार श्रोतोगिक प्रधिकरण कामपुर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 22-4-48 को प्राप्त हुआ था।

[सं. एन-40012/40/92-प्रा० आर० डी० य०]
के. वी. बी. उण्णी, डेस्क अधिकारी

New Delhi, the 23rd April, 1998

S.O. 918.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Telecom Divisional Engineer, Sultanpur and their workman, which was received by the Central Government on 22-4-98.

[No. L-40012/40/92-I.R.D.U]
K. V. B. UNNY, Desk Officer

ANNEXURE

BEFORE SRI B. K. SRIVASTAVA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, PANDU NAGAR, KANPUR

Industrial Dispute No. 30 of 1993

In the matter of dispute :

BETWEEN

Sri Mohd. Saad,
S/o Abdul Salam,
Village & Post Gamgavan,
District Pratapgarh.

AND

Telecom Divisional Engineer,
Sultanpur.

AWARD

J. Central Government, Ministry of Labour, vide its notification No. L-40012/40/92-I.R.D.U. dated 22-3-93, has referred the following dispute for adjudication to this Tribunal:

Whether the action of the management of Telecom Divisional Engineer, Sultanpur in terminating the services of Sri Mohammad Saad, son of Sri Abdul Salam casual mazdoor w.e.f. 7-4-89 is justified ? If not, what relief he is entitled to ?

2. The case of the concerned workman Mohd. Saad is that he had worked as casual labour from June 1981 to April 1989 in broken periods. He had completed more terminated without payment of notice pay and retrenchment compensation this notice pay and retrenchment compensation this termination is bad. Besides juniors to him were retained in service.

3. In the written statement the management denied that the concerned workman had completed 240 days. In any case he was not engaged on any regular post. No provision of Industrial Disputes Act has been breached.

4. In the rejoinder nothing new was alleged.

5. In support of his case the concerned workman Mohd. Saad had examined himself as W.W.1. and the management has examined N. N. Dubey Inspector. Besides workman has filed Ext. W-1 a certificate to showing the number of working days from the year 1981 to 1982. There is no proof except the oral evidence of Mohd. Saad to show that he had completed 240 days in a year preceding the date of his termination. This oral evidence has been rebutted by the management witness N. N. Dubey. Had the concerned workman completed 240 days he would have been given certificate at the time of termination in April, 1989.

6. In the absence of such certificate I disbelieve the version of the concerned workman and hold that he had not completed 240 days in a year. Hence question of breach of provisions of Section 25-F of I.D. Act does not arise.

7. There is no reliable evidence to prove that the provisions of Section 25-G and H of I.D. Act have been breached.

8. In view of it my award is that the termination of the concerned workman is not bad in law and as such the concerned workman is not entitled for any relief.

B. K. SRIVASTAVA, Presiding Officer

मई दिल्ली, 23 अप्रैल, 1998

का. आ. 919.—श्रीधोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एस. डी. ओ., टेलीग्राफ, सुल्तानपुर के प्रबन्धतात्र के संबंध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट श्रीधोगिक विवाद में केन्द्रीय सरकार श्रीधोगिक अधिकरण, कानपुर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 22-4-98 को प्राप्त हुआ था।

[नं. एल-40012/148/91-डी-2 (बी)]

के. वी. बी. उण्णी, ईस्क अधिकारी

New Delhi, the 23rd April, 1998

S.O. 919.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of SDO Telegraph Sultanpur and their workman, which was received by the Central Government on 22-4-98.

[No. L-40012/148/91-D-2(B)]
K. V. B. UNNY, Desk Officer

ANNEXURE

BEFORE SRI B. K. SRIVASTAVA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
PANDU NAGAR, KANPUR, U.P.

Industrial Dispute No. 51 of 1992

In the matter of dispute between :

Sri Ram Bahadur son of Sri Ram Raj
C/o Sri. S. D. Srivastava 16 M.G. Marg. Allahabad.
And
Divisional Engineer (Telegraph)
Sultanpur.

Appearance :

Sri Prakash Gupta for the Management and
Kumari Neeta Mathur for the Workman.

AWARD

1. Central Government, Ministry of Labour, vide notification No. L-40012/148/91-D-2(B) dated 6-3-92, has referred the following dispute for adjudication to this Tribunal :—

Kya SDO Telegraph Sultanpur dwara Sri Ram Bahadur son of Ram Raj ko dinak 1-4-89 se naukari se alag karna nayayochit avam viadya hai? Yadi nahi to karmkari kis raha ke pane ke haqdar hai?

1. The case of the concerned workman Ram Bahadur is that he was engaged as a casual labour by the opposite party on 1-5-83 and he regularly worked upto 31-3-89 at Sultanpur. The opposite party has illegally terminated the services of the

concerned workman w.e.f. 1-4-89 in breach of provisions of sections 25F and G of I.D. Act.

3. The opposite party has filed reply in which it has been alleged that the concerned workman did not work continuously in a year for more than 240 days. He was a daily rated worker. He was engaged to meet the exigencies of work. Hence question of breach of provisions of sections 25F and G of I.D. Act does not arise. By way of an application it was alleged that the opposite party is not an Industry.

4. In the rejoinder nothing new has been alleged.

5. In support of his case, the concerned workman Ram Bahadur has examined himself as W.W.1. Besides he has filed certificate ext. W-1 which would go to show that he had completed 240 days in a year preceding the date of termination. The management has not adduced any evidence.

6. It may be noted that reinstatement is awarded where the workman holds certain post and is engaged in a vacancy. When a workman is engaged as a daily rated employee to meet the exigency of work, even if any provision of law has been breached he will not be entitled for reinstatement. On the basis of unrebutted evidence of Ram Bahadur W.W.1 and ext. W-1 certificate it is held that the concerned workman has completed 240 days of work in a year as such he was entitled for notice pay and retrenchment compensation before termination. In its absence this cessation of work is bad u/s 25F of I.D. Act. Still in view of above observation my award is that the workman is not entitled for reinstatement. Instead he will be entitled for Rs. 3000/- as compensation in lieu of reinstatement.

B. K. SRIVASTAVA, Presiding Officer

मई दिल्ली, 23 अप्रैल, 1998

का. आ. 920.—श्रीधोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एस. डी. ओ., टेलीग्राफ, सुल्तानपुर के प्रबन्धतात्र के संबंध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट श्रीधोगिक विवाद में केन्द्रीय सरकार श्रीधोगिक अधिकरण, कानपुर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 22-4-98 को प्राप्त हुआ था।

[नं. एल-40012/149/91-डी-2-(बी)]

के. वी. बी. उण्णी, ईस्क अधिकारी

New Delhi, the 23rd April 1998

S.O. 920.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure, in the industrial dispute between the employers in relation to the manage-

ment of SDO, Telegraph, Sultanpur and their workman, which was received by the Central Government on the 22-4-98.

[No. L-40012/149/91-D-2(B)]
K.V.B. UNNY, Desk Officer

ANNEXURE

BEFORE SRI B. K. SRIVASTAVA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT
PANDU NAGAR, KANPUR

Industrial Dispute No. 50 of 1992

In the matter of dispute between :

Ravindra Prasad
S/o Shyam Lal
C/o S. D. Srivastava
16 M.G. Marg, Allahabad.

And
SDO Telegraph Sultanpur.

AWARD

1. Central Govt. Ministry of Labour vide notification No. L-40012/149/91-D-2(B) dated 6-3-92 has referred the following dispute for adjudication to this Tribunal for adjudication—

Kya SDO Telegraph Sultanpur dwara Sri Ravindra Prasad son of Shyam Lal ko din 1-3-89 se naukari se alag karna uchit avm vaid hai? Yadi wahi to karm-chati kis anutosh ko paane ka faqdar hai?

2. The case of the concerned workman is that he was engaged as casual labour by the opposite party Telegraph in May 1992 and he continued to work upto 89. During this period according to the certificate issued by the opposite party he worked upto 819 days. In any case he has completed for more than 240 days in a year preceding the date of termination. As no retrenchment compensation and notice pay was given and as junior to him has been retained in service his termination is bad in law.

3. The opposite party has filed reply in which it is alleged that the concerned workman was engaged as daily rated worker to meet the exigencies of work. He did not work against any post. Hence he was not entitled for notice pay and retrenchment compensation. By way of separate application it was alleged that the opposite party is not an industry.

4. In the rejoinder nothing new has been alleged.

5. In support of his case the concerned workman has examined himself as w.w. 1, whereas the management has not adduced any evidence.

6. It may be borne in mind that reinstatement is awarded where the workman holds certain post and has removed from the same but when he is engaged as a daily rated worker to meet the exigencies of work, he will not be entitled for reinstatement, even the provisions of Industrial Disputes Act have been breached.

7. In the instant case from the aforesaid evidence of the workman coupled with the certificate ext. W.1 it is established that the concerned workman has worked for more than 240 days in a year as a casual labour. Hence his termination without payment of notice pay and retrenchment compensation is bad. Still in view of above preposition of law the concerned workman will not be entitled for reinstatement as he has not worked against any post, hence my award is that no doubt the termination of the concerned workman is bad in law, he would not be entitled for reinstatement. Instead a sum of Rs. 3000/- as compensation in lieu of reinstatement is awarded.

B. K. SRIVASTAVA, Presiding Officer

मई दिल्ली, 23 मार्च, 1998

का. ग्रा. 921—श्रीधोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसार में, केन्द्रीय सरकार एस. डी. ओ., टेलीग्राफ, सुलतानपुर के प्रबन्धतात्मक संबद्ध नियोजकों और उनके कर्मकारों के बीच, भ्रष्टांश में निर्दिष्ट श्रीधोगिक विवाद में केन्द्रीय सरकार श्रीधोगिक अधिकारण, कानपुर के पासट को प्रकाशित करती है, जो केन्द्रीय सरकार को 22-4-98 को प्राप्त हुआ था।

[नं. एस-40012/150/91-डी 2(वी)]

के. वी. वी. उण्णी, ईस्ट अधिकारी

New Delhi, the 7th April, 1998

S.O. 921.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of SDO, Telegraph, Sultanpur and their workman, which was received by the Central Government on the 22-4-98.

[F. No. L-40012/150/91-D 2(B)]

K V B UNNY Desk Officer

ANNEXURE

BEFORE SRI B. K. SRIVASTAVA, PRESIDING OFFICER, CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT PANDU NAGAR, KANPUR

Industrial Dispute No. 49 of 1992

In the matter of dispute between :

Gangaram S/o Rani Pratap

C/o S. D. Srivastava 16 M.G. Marg

Allahabad.

AND

Divisional Engineer

Telegraph Sultanpur.

Award

AWARD

1. Central Government, Ministry of Labour vide notification No. L-40012/150/91-D-2(B) dated

6-3-92, has referred the following dispute for adjudication to this Tribunal—

Kya SDO Telegraph Sultanpur Dwara Gangaram son of Rab Partap ko dinank 31-3-89 se naukari se alag karna uchit avam vaidh hai? Yadi nahi to karmchari kis rahat ko paane ka haqdar hai?

2. The case of the concerned workman Gangaram is that he was appointed as casual labour by the opposite party on 1-8-83, and he worked upto 31-3-89 in broken periods thereafter his services were terminated. He had completed more than 240 days in a year preceding the date of termination hence this termination is in breach of provision of Sec. 25F of I.D. Act. Further juniors to him have been retained in service.

3. The opposite party has filed reply in which it is alleged that the concerned workman was engaged as a casual labour to meet the exigencies of works. His termination came to an end when there was no work left. In any case such workman is not entitled for reinstatement as there is no post.

4. The concerned workman has filed rejoinder, in which nothing new has been alleged.

5. In this case the concerned workman has not adduced any evidence inspite of opportunity having been given to him. Whereas the opposite party has examined their inspector N. N. Dubey M.W.I.

6. For want of evidence, I come to the conclusion that the concerned workman had not completed 240 days in a year preceding the date of termination and that juniors were retained in service. Hence for want of proof it is held that termination of the concerned workman was not valid hence is not entitled for any relief.

B. K. SRIVASTAVA, Presiding Officer

मई विल्सनी, 23 अप्रैल, 1998

का. आ. 922 :—ग्रीष्मोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा; 17 के अनुसरण में, केन्द्रीय सरकार एस. डी. प्रो., टेलीग्राफ, सुल्तनपुर के प्रबन्धालय के संबद्ध नियोजकों और उसके कर्मकारों के बीच, अनुबंध में निर्दिष्ट ग्रीष्मोगिक विवाद में केन्द्रीय सरकार ग्रीष्मोगिक अधिकारण, कामपुर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार की 22-4-98 को प्राप्त हुआ था।

[नं. एल-40012/151/91-डी-2 (बी)]

के. धी. बी. उण्णी, ईस्क अधिकारी

New Delhi, the 23rd April, 1998

S.O. 922.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Kanpur

as shown in the Annexure, in the industrial dispute between the employers in relation to the management of SDO, (Telegraph) Sultanpur and their workman, which was received by the Central Government on 22-4-98.

[No. L-40012/151/91-D. 2(B)]
K. V. B. UNNY, Desk Officer

ANNEXURE

BEFORE SRI B. K. SRIVASTAVA, PRESIDING OFFICER, CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT
PANDU NAGAR, KANPUR

Industrial Dispute No. 55 of 1992

In the matter of dispute between:

Ram Raj son of Sri Mahabali
C/o S. D. Srivastava
16 M.G. Marg, Allahabad.

AND

Divisional Engineer
Telegraph Sultanpur.

AWARD

1. Central Govt. Ministry of Labour vide notification No. L-40012/151/91-D-2-B dated 6-3-92, has referred the following dispute for adjudication to this Tribunal—

Kya SDO (Telegraph) Sultanpur dwara Sri Ram Raj s/o Sri Mohabali ko dinuk 1-5-89 se naukari se alag karna uchit avam vaidh hai? Yadi nahi to Karmchari kis rabat ko pane ka haqdar hai?

2. The case of the concerned workman Ramraj is that he was engaged as casual labour in December 1983 and he worked upto 31-5-89 in broken periods. As no retrenchment compensation and notice pay was given this termination is bad being in breach of provisions of Sec. 25F of I.D. Act.

3. The case of the opposite party is that the concerned workman was not appointed on a regular post. Instead he was asked to do work according to project on daily basis. When the work was not left he was not engaged.

4. In the rejoinder nothing new has been alleged.

5. In support of his case, the concerned workman Ramraj examined himself as w.w.i. Further he has filed Ext. W-1 to W-3. In rebuttal there was evidence of N. N. Dubey.

6. From the evidence Ext. W-3 coupled with the evidence of N. N. Dubey it is established that the concerned workman has worked more than 240 days preceding the date of his retrenchment. Management witness could not dispute it. Admittedly no retrenchment compensation and notice pay was given to him hence termination is bad in law in breach of provision of section 25-F of I.D. Act. Still I am of the

view that the concerned workman will not be entitled for reinstatement as according to his own showing he was not engaged on any regular post and that he was a daily rated worker. Now it is well settled law that reinstatement can be ordered when the aggrieved workman was removed from certain post. Surely casual labour does not carry post, hence in view of this settled law the concerned workman will not be entitled for reinstatement. Instead he is entitled for compensation of Rs. 3000 in lieu of reinstatement.

B. K. SRIVASTAVA, Presiding Officer

नई दिल्ली, 23 अप्रैल, 1998

का. आ. 923.—श्रीधोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एस. डी. ओ., टेलीग्राफ, सुलतानपुर के प्रबन्धालय के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट श्रीधोगिक विवाद में केन्द्रीय सरकार श्रीधोगिक अधिकरण, कानपुर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 22-4-98 को प्राप्त हुआ था।

[म. एल-40012/153/91-डी 2वी]

के. बी. बी. उष्णि, डैस्क अधिकारी

New Delhi, the 23rd April, 1998

S.O.923.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of SDO, Telegraph, Sultanpur and their workman, which was received by the Central Government on 22-4-98.

[No. L-40012/153/91-D-2B]
K. V. B. UNNY, Desk Officer

ANNEXURE

BEFORE SRI B. K. SRIVASTAVA, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-
CUM-LABOUR COURT, PANDU NAGAR, KANPUR,

Industrial Dispute No. 57 of 1992

In the matter of dispute :

BETWEEN

Sri Sube Lal S/o Kaluram,
C/o D. Srivastava, 16, M. G. Marg, Allahabad.

AND

S.D.O. (Telegraph),
Sultanpur, U.P.

APPEARANCES :

Sri Prakash Gupta for the Management and Smt. Neeta Mathur for the workman.

AWARD

1. Central Government, Ministry of Labour, vide notification No. L-40012/153/91-D-2-B dated 6-3-92 has referred the following dispute for adjudication to this Tribunal :

Kya SDO, Telegraph, Sultanpur dwara Sri Subeylal putra Sri Kaluram ko dinank 1-5-89 se naukari se alag karna nyayochit avam vaidha hai ? Yadi nahi to karmkar kis anutosh ka haqdar hai ?

2. The case of the concerned workman Subeylal is that he was initially engaged as casual labour on 1-9-79 according to existing recruitment rules and was working at Sultanpur. He worked for 119 days from 1-9-79 to 30-11-84. Thereafter, he was not provided with the work after 31-10-84, on the ground that no work was available. In its absence, the period from 1-11-79 to 31-10-84 is to be treated as continuous service. From 31-12-84 to 31-1-88 he was again not appointed on the ground that the same was not available. From 1-2-88 upto 30-4-89 he worked except for the period 1-4-88 to 7-4-88 and from 1-5-88 to 31-10-88, when the work was not available. His period of service should be treated as continuous and as such he was entitled for reinstatement as retrenchment compensation and notice pay was not given. Hence termination is bad.

3. In the written statement it was alleged that the concerned workman has not completed 240 days in any year. He used to be engaged to do work of casual nature as and when necessity arose. Hence, question of application of Sections 25 F and G of I. D. Act does not arise.

4. By way of separate application it was alleged that this Tribunal has no jurisdiction as the opposite party is not an industry.

5. In the rejoinder it was alleged that the termination of the concerned workman is bad being in breach of Sections 25G and H of I.D. Act.

6. In support of his case, the concerned workman has examined himself as W.W. 1. Besides he has filed certificate of the year 1973 and another certificate Ext. W-2 for the years 1979—84. He has also filed certificate for the last one preceding date of alleged termination. Hence, in my opinion bare statement of the concerned workman that he has worked for 240 days preceding the date of termination is not trustworthy. M. N. Dwivedi, M.W. 1 has stated that the concerned workman has not completed 240 days in a year. Thus in the absence of any certificate and any other documentary evidence, I disbelieve the version of the workman and hold that he had not completed 240 days in any year. Further he was a casual daily rated labour. He did not work on any permanent post. Rather he was engaged to meet the exigencies of work. The authorised representative for the workman has also not shown to me any provision which may go to show that casual labour carries a post. In its absence even if the termination of the concerned workman would have been found to be bad, he would not have been entitled for reinstatement as reinstatement is ordered against a definite post. A casual worker who is engaged to meet exigencies of work will not be entitled for any reinstatement.

7. Hence, in my opinion on merits it has not been proved that the concerned workman's termination is bad. Even other

wise he is not entitled for reinstatement. Accordingly my award is that the termination of the concerned workman is not bad and he is not entitled for any relief.

8. Reference is unanswered accordingly.

B. K. SRIVASTAVA, Presiding Officer

नई दिल्ली, 23 अप्रैल, 1998

का. आ. 924.—श्रीशोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एस. डी.ओ., टेलीग्राफ, सुलतानपुर के प्रबन्धनीय संबंध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट श्रीशोगिक विवाद में केन्द्रीय सरकार श्रीशोगिक अधिकरण, कानपुर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 22-4-98 को प्राप्त हुआ था।

[सं. एल-40012/193/91—आई आर डी यू]

के. वी. बी. उण्णी, ईस्क अधिकारी

New Delhi, the 23rd April 1998

S.O. 924.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of SDO (Telegraph), Sultanpur and their workman, which was received by the Central Government on the 22-4-98.

Central Government on 22-4-98.

[No. L-40012/193/91-I.R.D.U.]

K.V.B. UNNY, Desk Officer

ANNEXURE

BEFORE SRI B. K. SRIVASTAVA PRESIDING OFFICER, CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT
PANDU NAGAR, KANPUR.

Industrial Dispute No. 116 of 1992

In the matter of dispute between :

Ram Sajiwan son Bachai Ram,
C/o S. D. Srivastava,

16 M. G. Marg, Allahabad.

AND

S. D. O. Telegraph,
Sultanpur.

AWARD

1. Central Government Ministry of Labour vide its notification No. L-40012/193/91-I.R.D.U. dated 30-9-92 has referred the following dispute for adjudication to this Tribunal —

Kya SDO (Telegraph) Sultanpur dwara Sri Ram Sajiwan putra Sri Bachai Ram ko dinank 1-4-89 se naukari se Alag karna Uchit avam vaidya hai ? Yadi nahi to ukat karamchari kis rahat ko paane ka haqdar hai ?

2. The case of the concerned workman Ram Sajiwan is that he was engaged as a casual labour on 1-10-74 and he worked upto November 1976 for 445 days. Thereafter he again worked upto Feb. 1977, in respect of which a certificate was issued on 14-12-88 as his services have been illegally terminated in breach of provisions of I.D. Act.

3. The opposite party has filed reply in which it is alleged that the claim is stale and no provision of Industrial Disputes Act was breached.

4. In the rejoinder nothing new has been alleged.

5. It will be evident that the claim relates to the year 1977 where reference has been sought in 1992. Thus there is delay of 15 years. Now it is well settled law that in the absence of any satisfactory explanation stale claim should not be entertained.

6. In view of this authority alone in the absence of any satisfactory explanation holding that the claim of the concerned is very stale I come to the conclusion that the concerned workman is not entitled for any relief.

B. K. SRIVASTAVA, Presiding Officer

नई दिल्ली, 22 अप्रैल, 1998

का. आ. 925.—केन्द्रीय सरकार राजभवा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम—10 के उप नियम (4) के अनुसरण में, श्रम मंत्रालय के ग्रन्थीन केन्द्रीय श्रमिक शिक्षा बोर्ड, नागपुर के निम्नलिखित भारतीय श्रमिक शिक्षा केन्द्रों/कार्यालयों को एलड़-द्वारा अधिसूचित करती है :—

1. श्रमिक शिक्षा केन्द्र, अहमदाबाद
2. श्रमिक शिक्षा केन्द्र, बड़ोदा
3. श्रमिक शिक्षा केन्द्र, राजकोट
4. श्रमिक शिक्षा केन्द्र, मुंबई
5. श्रमिक शिक्षा केन्द्र, नागपुर
6. श्रमिक शिक्षा केन्द्र, पुणे
7. श्रमिक शिक्षा केन्द्र, अंडीगढ़
8. श्रमिक शिक्षा केन्द्र, थाणे
9. आंचलिक निदेशक का कार्यालय, केन्द्रीय श्रमिक शिक्षा बोर्ड, नई दिल्ली
10. आंचलिक निदेशक का कार्यालय, केन्द्रीय श्रमिक शिक्षा बोर्ड, मुंबई
11. भारतीय श्रमिक शिक्षा संस्थान, मुंबई

[का. सं. ई-11011/1/93-रा. भा. नी.]

पी. एम. सिराजुद्दीन, निदेशक

New Delhi, the 22nd April, 1998

S.O. 925.—In pursuance of suz-rule (4) of Rule 10 of the Official Language (use for official purposes of the Union) Rules, 1976, the Central Government hereby notifies the following Regional Workers Education Centres/Offices of Central Board of Workers Education, Nagpur :—

1. Workers Education Centre, Ahmedabad
2. Workers Education Centre, Baroda
3. Workers Education Centre, Rajkot
4. Workers Education Centre, Mumbai

5. Workers Education Centre, Nagpur
6. Workers Education Centre, Pune
7. Workers Education Centre, Chandigarh
8. Workers Education Centre, Thane
9. O/o the Regional Director, Central Board for Workers Education, New Delhi.
10. O/o the Regional Director, Central Board for Workers Education, Mumbai.
11. Indian Workers Education Institute, Mumbai

[F. No. E-11011/1/93-RBN]

P. M. SIRAJUDDIN, Director

नई दिल्ली, 23 अप्रैल, 1998

का. आ. 926.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा—1 की उप धारा—(3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एलड़-द्वारा 1 मई, 1998 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय—4 (धारा—44 और 45 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) और अध्याय—5 और 6 [धारा—76 की उपधारा (1) और धारा—77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है] के उपरांत उड़ीसा राज्य के निम्नलिखित भेंटों में प्रवृत्त होंगे; अर्थात्,—

“जिसा सुन्दरयुक्त की तहसील राजगंगपुर में राजस्व ग्राम शारदेवा, जागरपुर, कुतरा तथा तेलीचाना के अन्तर्गत आने वाले भेट ”।

[संख्या एस—38013/18/98-एस.] एस.—I]

जे. पी. शुक्ला, अवर सचिव

New Delhi, the 23rd April, 1998

S.O. 926.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Employees' State Insurance Act, 1948 (34 of 1948) the Central Government hereby appoints the 1st May, 1998 as the date on which the provisions of Chapter IV (except Sections 44 and 45 which have already been brought into force) and Chapters V and VI [except sub-section (i) of Section 76 and Sections 77, 78, 79 and 81 which have already been brought into force] of the said Act shall

come into force in the following areas of the State of Orissa namely :

"The areas comprising revenue village as Jharbeda, Jhagarpur, Kutra and Teli-ghana in Tahsil Rajgangpur of District Sundargarh".

[No. S-38013|18|98-SS. I]

J. P. SHUKLA, Under Secy.

नई दिल्ली, 23 अप्रैल, 1998

का. आ. 927.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा-१ की उपधारा-(3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 1 मई, 1998 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय-4 (धारा-44 और 45 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) और अध्याय-5 और 6 धारा—(76 की उपधारा (1) और धारा-77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) के उपबन्ध आन्ध्र प्रदेश राज्य के निम्नलिखित क्षेत्रों में प्रवृत्त होंगे, अर्थात् :—

"जिला गुन्टूर के गुन्टूर भ्रामीग मण्डल में राजस्व ग्राम सिवारेड्डीपलेम की सीमाओं के अन्तर्गत आने वाले क्षेत्र।"

[संख्या एस-38013/19/98-एम. एस.-I]

जे. पी. शुक्ला, अवतर सचिव

New Delhi, the 23rd April, 1998

S.O. 927.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Employees' State Insurance Act, 1948 (34 of 1948) the Central Government hereby appoints the 1st May, 1998 as the date on which the provisions of Chapter IV (except Sections 44 and 45 which have already been brought into force) and Chapters V and VI (except sub-section (i) of Section 76 and Sections 77, 78, 79 and 81 which have already been brought into force) of the said Act shall into force in the following areas of the State of Andhra Pradesh namely :

"The areas falling within the limits of revenue village Sivareddypalem of Guntur Rural Mandal in Guntur District".

[No. S-38013|19|98-SS. I]

J. P. SHUKLA, Under Secy.

